

SEVENTY-THIRD DAY

(Tuesday, May 18, 1937)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Calvert.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Holland
Adkins	Hoskins
Alexander	Howard
Alsup	Huddleston
Amos	Hull
Baker	Hyder
Bates	Jackson
Beckworth	James
Bell	Johnson of Ellis
Blankenship	Johnson
Boethel	of Tarrant
Bond	Jones of Angelina
Boyer	Jones of Atascosa
Bradbury	Jones of Falls
Bridgers	Jones of Wise
Broadfoot	Keefe
Brown	Keith
Burton	Kelt
Cagle	Kenyon
Callan	Kern
Carssow	King
Cathey	Knetsch
Cauthorn	Langdon
Celaya	Lankford
Cleveland	Lanning
Colquitt	Leath
Davis of Jasper	Leonard
Davison of Fisher	Leyendecker
Davisson	Little
of Eastland	Loggins
Deglandon	London
Derden	Lucas
Dickison	Mann
England	Mauritz
Farmer	Mays
Felty	McConnell
Fielden	McCracken
Fox	McDonald
Fuchs	McFarland
Gibson	McKee
Graves	McKinney
Hamilton	Metcalfe
Hankamer	Moffett
Hanna	Monkhouse
Harbin	Morris
Hardin	Morse
Harper	Newton
Harrell	Nicholson
Harris of Archer	Oliver
Harris of Dallas	Palmer
Harris of Dickens	Patterson of Mills
Hartzog	Patterson
Heflin	of Travis
Herzik	Petsch

Pope	Smith of Hopkins
Powell	Smith
Prescott	of Matagorda
Quinn	Smith of Tarrant
Ragsdale	Stevenson
Reader	Stinson
Reed of Bowie	Stocks
Reed of Dallas	Talbert
Rhodes	Tarwater
Riddle	Tennyson
Roark	Thornberry
Ross	Thornton
Rutta	Vale
Schuenemann	Waggoner
Settle	Walker
Sewell	Weldon
Sharpe	Westbrook
Shell	Winfree
Simpson	Wood
Skaggs	Worley

Absent

Dean

Dollins

Absent—Excused

Bradford

Russell

Davis of Haskell

Tennant

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of illness:

Mr. Davis of Haskell for today, on motion of Mr. Bell.

Mr. Heflin for last evening, on motion of Mr. Calvert.

RELATIVE TO THE RESOLUTION PERIOD

Mr. Metcalfe moved that the House dispense with the consideration of routine motions and resolutions, at this time.

The motion prevailed.

GRANTING PERMISSION TO SUE THE STATE

The Speaker laid before the House for consideration, at this time, the following resolution:

S. C. R. No. 63, Granting National Biscuit Company permission to sue the State.

Whereas, National Biscuit Company is a foreign corporation with permit to do business in Texas, and

has been doing business continuously in Texas since 1907; and

Whereas, The said National Biscuit Company has paid filing fees and franchise taxes to the State of Texas continuously from 1907 to 1917, under the then existing franchise tax and filing fee laws, which have been declared unconstitutional by the Supreme Court of the United States, said decision holding that the taxes and filing fees so paid were illegally and unlawfully exacted from National Biscuit Company by the State of Texas; and

Whereas, There is no provision of law, nor has there been any provision of law whereby this money unlawfully exacted could be returned or recovered except through a direct appropriation by the Legislature; and

Whereas, There is no machinery set up by the laws of the State of Texas to accurately and definitely determine just what amount of taxes should be returned, if any; and

Whereas, In order to definitely and accurately determine the same, it is the policy of this Legislature to let a court of competent jurisdiction pass upon the same; and

Whereas, The Legislature of the State of Texas has from time to time permitted other corporations, such as National Biscuit Company, to recover these taxes, and has made appropriations to pay the same; now, therefore, be it

Resolved by the Texas Senate, with the House of Representatives concurring, That National Biscuit Company be, and the same is hereby granted permission to bring suit against the State of Texas in any court of competent jurisdiction in Travis County, Texas, to determine definitely and accurately what amount of taxes and filing fees may have been heretofore illegally exacted of National Biscuit Company by the State of Texas and paid to the State of Texas, if any, as filing fees and franchise taxes under any such unconstitutional law as hereinabove mentioned, and there is hereby appropriated out of the Treasury such funds as may be necessary not heretofore appropriated to pay any final judgment which may be obtained by reason of the permission to sue the State of Texas herein granted, and service of citation for the purposes herein granted may be served upon the State of Texas by serving the Attorney General, Secre-

tary of State and the Comptroller of Public Accounts.

The resolution was read second time, and was referred, by the Speaker, to the Committee on State Affairs.

GRANTING PERMISSION TO SUE THE STATE

The Speaker laid before the House for consideration at this time, the following resolution:

S. C. R. No. 64, Granting Trinity Portland Cement Company permission to sue the State.

Whereas, Trinity Portland Cement Company is a foreign corporation with permit to do business in Texas, and has been doing business continuously in Texas since 1907, and is the successor of what was formerly known as Southwestern States Portland Cement Company, the latter name being changed to the former name by charter amendment under date of March 11, 1915; and

Whereas, The said Trinity Portland Cement Company has paid filing fees and franchise taxes to the State of Texas continuously from 1907 to 1917, under the then existing franchise tax and filing fee laws, which have been declared unconstitutional by the Supreme Court of the United States, said decision holding that the taxes and filing fees so paid were illegally and unlawfully exacted from Trinity Portland Cement Company by the State of Texas; and

Whereas, There is no provision of law, nor has there been any provision of law whereby this money unlawfully exacted could be returned or recovered except through a direct appropriation by the Legislature; and

Whereas, There is no machinery set up by the laws of the State of Texas to accurately and definitely determine just what amount of taxes should be returned, if any; and

Whereas, In order to definitely and accurately determine the same, it is the policy of this Legislature to let a court of competent jurisdiction pass upon the same; and

Whereas, The Legislature of the State of Texas has from time to time permitted other corporations, such as Trinity Portland Cement Company, to recover these taxes, and has made appropriations to pay the same; now, therefore, be it

Resolved by the Texas Senate, with

the House of Representatives concurring. That the Trinity Portland Cement Company, successors to Southwestern States Portland Cement Company be, and the same is hereby granted permission to bring suit against the State of Texas in any court of competent jurisdiction in Travis County, Texas, to determine definitely and accurately what amount of taxes and filing fees may have been heretofore illegally exacted of Trinity Portland Cement Company by the State of Texas and paid to the State of Texas, if any, as filing fees and franchise taxes under any such unconstitutional law as hereinabove mentioned, and there is hereby appropriated out of the Treasury such funds as may be necessary not heretofore appropriated to pay any final judgment which may be obtained by reason of the permission to sue the State of Texas herein granted, and service of citation for the purposes herein granted may be served upon the State of Texas by serving the Attorney General, Secretary of State and the Comptroller of Public Accounts.

The resolution was read second time, and was referred, by the Speaker, to the Committee on State Affairs.

GRANTING PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 67, Granting Silas Gotcher and others permission to sue the State.

Whereas, Silas Gotcher and mother, Mrs. Katie Gotcher, were injured as a result of a collision of an automobile owned by the said Silas Gotcher and an automobile owned by the State of Texas and the State Highway Department; and

Whereas, It is alleged that the automobile operated by an employee of the State of Texas and the State Highway Department was being negligently operated, and as a result of said alleged negligence said automobile was destroyed and the said Silas Gotcher and Mrs. Katie Gotcher sustained serious and permanent injuries; and

Whereas, Said Silas Gotcher and Mrs. Katie Gotcher desire to file suit in a court of competent jurisdiction in Brown County, Texas, to determine

whether or not said injuries were due to the negligence of the employee of the State Highway Department and the State of Texas; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That the said Silas Gotcher and his mother, Mrs. Katie Gotcher, and joined by her husband, S. N. Gotcher, be and they are hereby granted permission to bring suit in any court or courts of competent jurisdiction in Brown County, Texas, against the State Highway Department and/or the State of Texas, to determine the liability, if any, of the State Highway Department and the State of Texas; and, be it further

Resolved, That the State of Texas consents to the filing of said suit or suits, and further agrees that service of process may be had upon the Chairman of the State Highway Commission of the State of Texas and the Attorney General of the State of Texas; and, be it further

Resolved, That said suit or suits, when filed, shall be tried in the same form and manner and under the same rules of procedure as are now required by the laws of this State, and the court decisions of this State in personal injury cases; and, be it further

Resolved, That in event final judgment is rendered against the State of Texas and/or the State Highway Department, there is hereby appropriated out of the State Highway Funds of this State a sufficient amount to pay said judgment, together with interest and costs; and, be it further

Resolved, That the crowded condition of the calendar, and the importance of this matter, create an emergency and an imperative public necessity that the Constitutional Rule requiring that all bills be read on three several days in each House be suspended, and said Rule is hereby suspended, and this resolution shall take effect and be in force from and after its passage, and it is so enacted.

The resolution was read second time, and was referred, by the Speaker, to the Committee on State Affairs.

MESSAGE FROM THE GOVERNOR

The Speaker laid before the House, and had read the following message from the Governor:

Austin, Texas, May 17, 1937.
To the Members of the Forty-fifth
Legislature:

Constitutional amendments can only be adopted at a regular session of the Legislature. One proposed amendment, H. J. R. No. 24 by Alsup, calling for a vote of the people on restoring the fee system for the present salary system, is highly important.

I cannot too earnestly urge you to suspend all rules and submit this proposed amendment to a vote of the people. I think the abolition of the fee system, with all its faults, was one of the biggest mistakes we have ever made. The cost to the State, under the salary amendment, is 70% above what it was. In addition, it is absolutely bankrupting the counties.

I voted to abolish the fee system, but I must confess error. It has not only proved a costly financial failure, but has utterly failed to produce as good a type of service as we had under the old system. After all, our forefathers were pretty wise in writing most of the constitution; and I have now come to appreciate their wisdom in providing for the fee system.

Irrespective of whether we are in agreement on restoring the fee system, it is but fair to give the people an opportunity to vote on it. That is all the resolution proposes; and a vote to let the people speak can not only always be defended but is to be commended.

Respectfully submitted,

JAMES V. ALLRED,
Governor of Texas.

GRANTING PERMISSION TO SUE THE STATE

Mr. Davisson of Eastland offered the following resolution:

H. C. R. No. 136, To grant W. T. Caswell of Travis County, Texas, permission to sue the State of Texas and the Attorney General's Department in behalf of himself and the partnership, Reed and Caswell of Travis County, Texas.

Whereas, On the 22nd day of February, 1928, the State of Texas, acting through the Attorney General's Department, brought suit in the District Court of Travis County to gain for the State certain mineral rights along the North Fork of the Red River; and

Whereas, The litigation involved some six hundred (600) defendants

who were claiming mineral rights to the river bed of the North Fork of the Red River, and at the time this suit was brought the Attorney General had insufficient funds with which to pay court costs and other costs of litigating this matter for the benefit of the State of Texas, and it is now acknowledged that said suit was a meritorious one inasmuch as the State of Texas could thereby acquire mineral rights worth millions of dollars to the State; and

Whereas, W. T. Caswell, for the firm of Reed & Caswell of Austin, Travis County, Texas, advanced various and sundry sums of money to pay the costs of this litigation including court costs as the same proceeded, with the understanding that the sums advanced were properly chargeable against the State of Texas, and would be considered as such; and

Whereas, This case was successfully litigated for the State of Texas in the lower courts of this State and consequently would have resulted in the saving to the State of many millions of dollars but for the passage of an Act of the Legislature during the pendency of this case in the higher courts, which Act in effect, released the State's right to the minerals in litigation; and

Whereas, It is acknowledged that the State of Texas as a voluntary loser may be liable for such advancements as may be properly considered court costs under the laws of this State; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That:

1. W. T. Caswell of Travis County, Texas, is hereby given and granted consent and permission to file suit in behalf of the partnership of Reed & Caswell of Austin, Texas, against the Attorney General's Department of the State of Texas, as such Department and the State of Texas, or against either, in any district court of Travis County, Texas, having jurisdiction of the subject matter and to therein prosecute to final judgment the validity and justness of his claim, if any such claim exists, as is founded upon the matter herein stated.

2. That the State of Texas and said Attorney General's Department, in case a judgment be obtained in said suit by the partnership of Reed & Caswell, may appeal from said judgment as provided by law for other parties, and the State and said Attor-

ney General's Department shall not be required to execute any bond and if a final judgment be recovered against the State of Texas or said Attorney General's Department, or against both of them, the same shall be paid with the interest thereon out of the General Revenue Fund.

3. Service in said cause shall be had by citing the Governor or the Attorney General of the State of Texas, and said service of citation shall have the same force and effect as provided by law for service in civil cases.

The resolution was read second time, and was referred, by the Speaker, to the Committee on State Affairs.

MESSAGE FROM THE SENATE

Austin, Texas, May 18, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

H. B. No. 36, A bill to be entitled "An Act amending Article 752 of Chapter 7, Title 12 of the Penal Code of 1925, as amended by Section 15 of Chapter 244, page 606, of the Acts of the Regular Session of the Forty-fourth Legislature; and amending Chapter 7, Title 12 of the Penal Code of 1925, as amended by Section 16 of Chapter 244, page 606, of the Acts of the Regular Session of the Forty-fourth Legislature, and declaring certain legislative intent in respect to this Act, and declaring an emergency." (With amendments.)

H. B. No. 376, A bill to be entitled "An Act amending Rule 47a of Article 4477, of Title 71, of the Revised Civil Statutes of the State of Texas, 1925, by repealing sub-paragraphs six and twenty-five thereof, and declaring an emergency."

Adopted

S. C. R. No. 70, Granting Judge Few Brewster permission to be absent from the State at certain intervals.

Respectfully,

ROB BARKER,
Secretary of the Senate.

HOUSE JOINT RESOLUTION NO. 24 ON SECOND READING

Mr. Leonard moved that the Rule, governing the regular order be suspended, at this time, for the purpose

of taking up and considering, at this time, House Joint Resolution No. 24.

The motion prevailed by the following vote:

Yeas—114

Adkins	Lankford
Alexander	Lanning
Alsup	Leonard
Amos	Leyendecker
Baker	Little
Bates	Loggins
Bell	London
Blankenship	Mann
Boethel	Mauritz
Boyer	McConnell
Bradbury	McCracken
Bridgers	McDonald
Brown	McFarland
Burton	McKee
Cagle	Metcalfe
Callan	Moffett
Carssow	Monkhouse
Cauthorn	Morris
Celaya	Morse
Cleveland	Newton
Colquitt	Nicholson
Davison of Fisher	Oliver
Deglandon	Palmer
Derden	Patterson of Mills
Dickison	Patterson
Farmer	of Travis
Felty	Prescott
Fox	Quinn
Fuchs	Ragsdale
Gibson	Reed of Bowie
Hamilton	Reed of Dallas
Harbin	Rhodes
Hardin	Riddle
Harrell	Roark
Harris of Archer	Ross
Harris of Dallas	Rutta
Harris of Dickens	Schuenemann
Heflin	Settle
Herzik	Sewell
Holland	Shell
Hoskins	Simpson
Huddleston	Skaggs
Hull	Smith
Hyder	of Matagorda
Jackson	Stevenson
James	Stinson
Johnson of Ellis	Stocks
Johnson	Talbert
of Tarrant	Tarwater
Jones of Angelina	Tennyson
Jones of Atascosa	Thornberry
Jones of Falls	Thornton
Jones of Wise	Vale
Keefe	Waggoner
Keith	Walker
Kelt	Weldon
Kenyon	Winfrey
King	Wood
Langdon	Worley

Absent

Beckworth	Howard
Bond	Kern
Broadfoot	Knetsch
Cathey	Leath
Davis of Haskell	Lucas
Davisson	Mays
of Eastland	McKinney
Dean	Petsch
Dollins	Pope
England	Powell
Fielden	Reader
Graves	Sharpe
Hankamer	Smith of Hopkins
Hanna	Smith of Tarrant
Harper	Westbrook
Hartzog	

Absent—Excused

Bradford	Russell
Davis of Jasper	Tennant

The Speaker then laid before the House, on its second reading,

H. J. R. No. 24, Proposing an amendment to the Constitution of the State of Texas, amending Article XVI, Section 61, providing for the abolishing of the salary method of compensating all District, County, and Precinct officers of this State, and further providing that the Legislature may prescribe laws for compensating all District, County and Precinct officers on a fee basis; providing for the submission of this amendment to the voters of this State; providing for proclamation of said election by the Governor; and providing for the necessary appropriation to defray necessary expenses for the submission of this amendment.

The resolution was read second time.

Mr. Alsup offered the following amendment to the resolution:

Amend the second paragraph of Section one of House Joint Resolution No. 24, so that the same shall hereafter read as follows:

"The Legislature shall hereafter provide by general law the method for the compensation of all district, county and precinct officers in this State."

Mr. Fox offered the following substitute for the amendment by Mr. Alsup:

Amend House Joint Resolution No. 24, by striking out on page 1 all of lines 21, 22 and 23 in Sec. 1 and inserting in lieu thereof the following:

"All District, County and Precinct officers shall hereafter be compensated in such manner and on such basis as may be prescribed by the Legislature."

The substitute amendment was adopted.

The amendment, as substituted, was then adopted.

Mr. Alsup offered the following amendment to the resolution:

Amend Section 2 of House Joint Resolution No. 24, by striking all of said Section and inserting in lieu thereof the following:

"Sec. 2. The foregoing Constitutional Amendment shall be submitted to the qualified voters of the State of Texas at a special election to be held on the fourth Saturday in August, 1937, at which election all voters favoring such proposed amendment shall write or have printed on their ballots these words:

"For Amendment to the Constitution of the State of Texas so as to authorize the Legislature to fix the manner and basis of compensation for all district, county, and precinct officers."

And those opposed shall write or have printed on their ballots these words:

"Against Amendment to the Constitution of the State of Texas so as to authorize the Legislature to fix the manner and basis of compensation for all district, county, and precinct officers."

The amendment was adopted.

Mr. Alsup offered the following amendment to the resolution:

Amend House Joint Resolution No. 24 or by changing the day to read "fourth Monday in August, 1937."

The amendment was adopted.

By unanimous consent of the House, the caption of the resolution was ordered amended to conform to all changes and with the body of the resolution.

House Joint Resolution No. 24 was then passed by the following vote:

Yeas—130

Adkins	Beckworth
Alexander	Bell
Alsup	Blankenship
Amos	Boethel
Baker	Boyer
Bates	Bradbury

Bridgers	London
Brown	Lucas
Burton	Mann
Callan	Mauritz
Carssow	Mays
Cathey	McConnell
Cauthorn	McCracken
Celaya	McDonald
Cleveland	McFarland
Colquitt	McKee
Davis of Jasper	McKinney
Davisson	Metcalfe
of Eastland	Moffett
Deglandon	Monkhouse
Derden	Morris
Dickison	Morse
England	Newton
Farmer	Nicholson
Felty	Oliver
Fielden	Palmer
Fox	Patterson of Mills
Fuchs	Patterson
Gibson	of Travis
Hamilton	Pope
Harbin	Powell
Hardin	Prescott
Harper	Quinn
Harrell	Ragsdale
Harris of Archer	Reader
Harris of Dallas	Reed of Bowie
Harris of Dickens	Reed of Dallas
Hartzog	Rhodes
Heflin	Roark
Herzik	Ross
Holland	Rutta
Hoskins	Schuenemann
Hull	Settle
Hyder	Sewell
Jackson	Sharpe
James	Shell
Johnson of Ellis	Simpson
Johnson	Skaggs
of Tarrant	Smith of Hopkins
Jones of Angelina	Smith
Jones of Atascosa	of Matagorda
Jones of Falls	Stevenson
Jones of Wise	Stinson
Keefe	Stocks
Keith	Talbert
Kelt	Tarwater
Kenyon	Tennyson
Kern	Thornberry
King	Thornton
Knetsch	Vale
Langdon	Waggoner
Lanning	Walker
Leath	Weldon
Leonard	Westbrook
Leyendecker	Winfree
Little	Wood
Loggins	Worley

Absent

Bond	Cagle
Broadfoot	Davison of Fisher

Dean	Huddleston
Dollins	Lankford
Graves	Petsch
Hankamer	Riddle
Hanna	Smith of Tarrant
Howard	

Absent—Excused

Bradford	Russell
Davis of Haskell	Tennant

MOTION TO TAKE UP SENATE BILL NO. 212

Mr. Hull moved that the regular order of business be suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 212, A bill to be entitled "An Act amending Article 2620 of the Revised Civil Statutes of 1925, changing the name of the North Texas Junior Agricultural, Mechanical and Industrial College at Arlington to the North Texas Agricultural, Mechanical and Industrial College at Arlington; and amending Article 2621 of the Revised Civil Statutes of 1925, providing a four-year course of study for said college and declaring an emergency; and amending Article 2618 of the Revised Civil Statutes of 1925, providing for a four-year course of study for John Tarleton Agricultural College, and declaring an emergency."

The roll of the House was called on the above motion, and the vote announced as follows: Yeas, 74; Nays, 37.

A verification of the vote was requested.

The roll of the "yeas" and "nays" was again called, and the verified vote resulted as follows:

Yeas—83

Adkins	Davison of Fisher
Alsup	Davisson
Amos	of Eastland
Baker	Deglandon
Bates	Dickison
Beckworth	England
Blankenship	Farmer
Boyer	Felty
Bridgers	Fielden
Broadfoot	Hamilton
Callan	Hankamer
Carssow	Harbin
Cathey	Hardin
Cauthorn	Harper
Celaya	Harris of Dallas
Cleveland	Harris of Dickens
Davis of Jasper	Hartzog

Heflin	Monkhouse
Herzik	Morse
Holland	Newton
Huddleston	Nicholson
Hull	Oliver
James	Patterson of Mills
Johnson of Ellis	Reader
Johnson	Reed of Dallas
of Tarrant	Rhodes
Jones of Angelina	Rutta
Jones of Atascosa	Schuenemann
Kelt	Settle
King	Sewell
Lanning	Simpson
Leyendecker	Skaggs
Loggins	Smith
London	of Matagorda
Lucas	Smith of Tarrant
Mann	Stinson
Mauritz	Stocks
McConnell	Talbert
McCracken	Tarwater
McFarland	Thornton
McKee	Vale
McKinney	Weldon
Moffett	Winfree

Nays—44

Alexander	McDonald
Bell	Metcalfe
Boethel	Morris
Bond	Palmer
Bradbury	Patterson
Brown	of Travis
Burton	Powell
Cagle	Prescott
Colquitt	Quinn
Fox	Ragsdale
Harrell	Reed of Bowie
Harris of Archer	Riddle
Hoskins	Roark
Jackson	Ross
Jones of Falls	Sharpe
Jones of Wise	Smith of Hopkins
Keith	Tennyson
Keefe	Thornberry
Kenyon	Waggoner
Kern	Walker
Knetsch	Wood
Langdon	Worley
Leath	

Absent

Dean	Lankford
Derden	Leonard
Dollins	Little
Fuchs	Mays
Gibson	Petsch
Graves	Pope
Hanna	Shell
Howard	Stevenson
Hyder	Westbrook

Absent—Excused

Bradford	Russell
Davis of Haskell	Tennant

The Speaker announced that the motion to suspend the rule was lost (not receiving the necessary two-thirds vote.)

SENATE BILL NO. 139 ON
SECOND READING

On motion of Mr. Metcalfe, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 139, A bill to be entitled "An Act making appropriations for the support, maintenance, operation, and improvement of the State institutions of higher learning for the two (2) fiscal years beginning September 1, 1937, and ending August 31, 1939, and for certain other educational agencies of the State, prescribing certain restrictions concerning the expenditures of said appropriations, and declaring an emergency."

The motion prevailed.

The Speaker then laid the bill before the House and it was read second time.

Mr. Metcalfe offered committee amendment No. 1 to the bill.

On motion of Mr. Leonard, the amendment was ordered not printed in the Journal, same being the printed copy of the bill.

Mr. Hartzog moved the previous question on the committee amendment and the passage of Senate Bill No. 139 to third reading.

Mr. Keefe raised a point of order, on consideration of the motion for the main question, at this time, on the ground that the bill has not been given a fair and free discussion in accordance with the constitutional provisions.

The Speaker sustained the point of order.

Mr. Hartzog moved the previous question on committee amendment No. 1 and the passage of Senate Bill No. 139 to third reading, and the motion was duly seconded.

Question then recurring on the motion for the main question, yeas and nays were demanded.

The motion for the main question prevailed by the following vote:

Yeas—75

Alexander	Amos
Alsup	Baker

Bates	Leonard
Bell	Leyendecker
Blankenship	Little
Boethel	Loggins
Bond	London
Boyer	Mann
Bridgers	McDonald
Brown	McFarland
Cagle	McKee
Callan	Moffett
Carsow	Monkhouse
Cauthorn	Morris
Celaya	Nicholson
Cleveland	Oliver
Colquitt	Patterson of Mills
Davison of Fisher	Patterson
Davisson	of Travis
of Eastland	Powell
Deglandon	Quinn
Derden	Reed of Dallas
England	Riddle
Felty	Ross
Fox	Rutta
Hamilton	Schuenemann
Hankamer	Settle
Harris of Dallas	Shell
Harris of Dickens	Skaggs
Hartzog	Smith of Hopkins
Heflin	Smith
Hoskins	of Matagorda
Jackson	Stinson
Johnson	Stocks
of Tarrant	Talbert
Jones of Angelina	Thornberry
Jones of Atascosa	Waggoner
Jones of Falls	Walker
Keith	Winfree
Knetsch	

Nays—53

Adkins	Kenyon
Beckworth	Kern
Bradbury	King
Broadfoot	Langdon
Cathey	Lankford
Davis of Jasper	Lanning
Dickison	Leath
Farmer	Lucas
Fielden	Mauritz
Fuchs	McCracken
Gibson	Newton
Hanna	Palmer
Harbin	Prescott
Hardin	Ragsdale
Harrell	Reed of Bowie
Harris of Archer	Rhodes
Holland	Roark
Huddleston	Sewell
Hull	Simpson
Hyder	Smith of Tarrant
James	Tarwater
Johnson of Ellis	Tennyson
Jones of Wise	Thornton
Keefe	Vale
Kelt	Weldon

Westbrook	Worley
Wood	
Present—Not Voting	

Harper	Metcalf
Absent	

Burton	McKinney
Dean	Morse
Dollins	Petsch
Graves	Pope
Herzik	Reader
Howard	Sharpe
Mays	Stevenson
McConnell	

Absent—Excused

Bradford	Russell
Davis of Haskell	Tennant

Mr. Hartzog moved to reconsider the vote by which the main question was ordered, and to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—75

Alexander	Jackson
Alsup	Johnson
Amos	of Tarrant
Baker	Jones of Angelina
Bates	Jones of Atascosa
Bell	Jones of Falls
Blankenship	Keith
Boethel	Knetsch
Bond	Leonard
Boyer	Leyendecker
Bridgers	Little
Brown	Loggins
Cagle	London
Callan	Mann
Carsow	McDonald
Cauthorn	McFarland
Celaya	McKee
Cleveland	Moffett
Colquitt	Monkhouse
Davison of Fisher	Morris
Deglandon	Newton
Derden	Nicholson
England	Oliver
Felty	Powell
Fox	Quinn
Fuchs	Riddle
Hamilton	Ross
Hankamer	Rutta
Harris of Dallas	Schuenemann
Harris of Dickens	Settle
Hartzog	Shell
Heflin	Skaggs
Hull	Smith of Hopkins

Smith
of Matagorda
Smith of Tarrant
Stinson
Stocks
Talbert

Thornberry
Vale
Waggoner
Walker
Winfree

Nays—53

Adkins
Beckworth
Bradbury
Broadfoot
Burton
Cathey
Davis of Jasper
Davisson
of Eastland
Dickison
Farmer
Fielden
Gibson
Hanna
Harbin
Hardin
Harper
Harrell
Harris of Archer
Holland
Hoskins
Huddleston
Hyder
James
Johnson of Ellis
Jones of Wise
Keefe
Kelt

Kenyon
King
Langdon
Lankford
Lanning
Leath
Lucas
Mauritz
McCracken
Palmer
Patterson
of Travis
Prescott
Ragsdale
Reed of Bowie
Reed of Dallas
Rhodes
Roark
Sewell
Simpson
Tarwater
Tennyson
Thornton
Weldon
Westbrook
Wood
Worley

Present—Not Voting

Metcalf

Absent

Dean
Dollins
Graves
Herzik
Howard
Kern
Mays
McConnell

McKinney
Morse
Patterson of Mills
Petsch
Pope
Reader
Sharpe
Stevenson

Absent—Excused

Bradford
Davis of Haskell

Russell
Tennant

Question then recurring on committee amendment No. 1, it was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Question then recurring on the passage of Senate Bill No. 139 to third reading, yeas and nays were demanded.

Senate Bill No. 139 was passed to third reading by the following vote:

Yeas—94

Alsup
Amos
Baker
Bates
Bell
Blankenship
Boethel
Bond
Boyer
Bridgers
Brown
Burton
Cagle
Callan
Carssow
Cauthorn
Celaya
Cleveland
Colquitt
Davison of Fisher
Deglandon
Derden
Dickison
England
Felty
Fox
Hamilton
Hankamer
Harbin
Harper
Harris of Dallas
Harris of Dickens
Hartzog
Heflin
Herzik
Hoskins
Howard
Hull
Hyder
Jackson
Johnson
of Tarrant
Jones of Angelina
Jones of Atascosa
Jones of Falls
Jones of Wise
Keith
Knetsch
Langdon

Lankford
Leonard
Leyendecker
Little
Loggins
London
Mann
McConnell
McCracken
McDonald
McFarland
McKee
Metcalf
Moffett
Monkhouse
Morris
Morse
Newton
Nicholson
Patterson
of Travis
Powell
Quinn
Reed of Dallas
Riddle
Roark
Ross
Rutta
Schuenemann
Settle
Shell
Simpson
Skaggs
Smith of Hopkins
Smith
of Matagorda
Smith of Tarrant
Stevenson
Stinson
Stocks
Talbert
Tennyson
Thornberry
Thornton
Vale
Waggoner
Walker
Winfree

Nays—39

Adkins
Alexander
Beckworth
Bradbury
Broadfoot
Cathey
Davis of Jasper
Farmer
Fielden

Fuchs
Gibson
Hanna
Hardin
Harrell
Harris of Archer
Holland
Huddleston
James

Johnson of Ellis	Prescott	Leyendecker	Roark
Kelt	Ragsdale	Little	Ross
Kenyon	Reed of Bowie	Loggins	Rutta
Kern	Rhodes	London	Schuenemann
King	Sewell	Mann	Settle
Lanning	Tarwater	McConnell	Shell
Leath	Weldon	McCracken	Skaggs
Lucas	Westbrook	McDonald	Smith of Hopkins
Mauritz	Wood	McFarland	Smith
Palmer	Worley	McKee	of Matagorda
Patterson of Mills		Metcalfe	Smith of Tarrant
	Absent	Moffett	Stevenson
		Monkhouse	Stinson
		Morris	Stocks
Davisson	McKinney	Morse	Talbert
of Eastland	Oliver	Newton	Tarwater
Dean	Petsch	Nicholson	Thornberry
Dollins	Pope	Patterson of Mills	Thornton
Graves	Reader	Patterson	Vale
Keefe	Sharpe	of Travis	Waggoner
Mays		Powell	Walker
	Absent—Excused	Quinn	Weldon
Bradford	Russell	Reed of Dallas	Winfree
Davis of Haskell	Tennant	Riddle	

MOTION TO TAKE UP SENATE BILL NO. 139

Mr. Metcalfe moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 139 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—96

Alsup	Hamilton
Baker	Hankamer
Bates	Harbin
Bell	Harper
Blankenship	Harris of Dallas
Boethel	Harris of Dickens
Bond	Hartzog
Boyer	Heflin
Bridgers	Herzik
Brown	Hoskins
Burton	Howard
Cagle	Hull
Callan	Hyder
Carssow	Jackson
Cauthorn	Johnson
Cleveland	of Tarrant
Colquitt	Jones of Angelina
Davis of Jasper	Jones of Atascosa
Davison of Fisher	Jones of Falls
Deglandon	Jones of Wise
Derden	Keith
Dickison	Kenyon
England	Knetsch
Felty	Langdon
Fox	Lankford
Fuchs	Leonard

Nays—37

Adkins	Kelt
Alexander	Kern
Amos	King
Beckworth	Lanning
Bradbury	Leath
Broadfoot	Lucas
Cathey	Mauritz
Farmer	Palmer
Fielden	Prescott
Gibson	Ragsdale
Hanna	Reed of Bowie
Hardin	Rhodes
Harrell	Sewell
Harris of Archer	Simpson
Holland	Tennyson
Huddleston	Westbrook
James	Wood
Johnson of Ellis	Worley
Keefe	

Absent

Celaya	McKinney
Davisson	Oliver
of Eastland	Petsch
Dean	Pope
Dollins	Reader
Graves	Sharpe
Mays	

Absent—Excused

Bradford	Russell
Davis of Haskell	Tennant

HOUSE BILL NO. 36 WITH SENATE AMENDMENTS

Mr. Stinson called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 36, A bill to be entitled

"An Act amending Article 752 of Chapter 7, Title 12 of the Penal Code of 1925, as amended by Section 15 of Chapter 244, page 606, of the Acts of the Regular Session of the Forty-fourth Legislature; and amending Chapter 7, Title 12 of the Penal Code of 1925, as amended by Section 16 of Chapter 244, page 606, of the Acts of the Regular Session of the Forty-fourth Legislature, and declaring certain legislative intent in respect to this Act, and declaring an emergency."

The Speaker laid the bill before the House with the Senate amendments.

Mr. Stinson moved that the House concur in the Senate amendments to House Bill No. 36.

Mr. Hardin moved, as a substitute motion, that the House do not concur in the Senate amendments to House Bill No. 36, and that a conference committee be requested to adjust the differences between the two Houses.

Mr. Stinson moved to table the substitute motion by Mr. Hardin.

The motion to table prevailed.

Question then recurring on the motion by Mr. Stinson, that the House concur in Senate amendments to House Bill No. 36, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—124

Adkins	Derden
Alexander	Dickison
Alsop	England
Amos	Farmer
Baker	Felty
Bates	Fielden
Beckworth	Fox
Bell	Fuchs
Blankenship	Gibson
Boethel	Graves
Bond	Hamilton
Boyer	Hankamer
Bradbury	Hanna
Bridgers	Harbin
Broadfoot	Harper
Brown	Harrell
Burton	Harris of Archer
Cagle	Harris of Dallas
Callan	Harris of Dickens
Carssow	Hartzog
Cauthorn	Heflin
Cleveland	Herzik
Colquitt	Holland
Davis of Jasper	Hoskins
Davison of Fisher	Huddleston
Deglandon	Hull

Hyder	Palmer
Jackson	Patterson
James	of Travis
Johnson of Ellis	Petsch
Johnson	Powell
of Tarrant	Prescott
Jones of Angelina	Quinn
Jones of Falls	Ragsdale
Jones of Wise	Reed of Bowie
Keefe	Reed of Dallas
Keith	Rhodes
King	Riddle
Knetsch	Roark
Langdon	Rutta
Lankford	Schuenemann
Lanning	Settle
Leath	Sewell
Leonard	Sharpe
Leyendecker	Shell
Little	Simpson
Loggins	Skaggs
London	Smith of Hopkins
Lucas	Smith
Mann	of Matagorda
Mauritz	Smith of Tarrant
McConnell	Stinson
McCracken	Stocks
McDonald	Talbert
McFarland	Tarwater
McKee	Tennyson
McKinney	Thornberry
Moffett	Thornton
Monkhouse	Vale
Morris	Walker
Morse	Weldon
Newton	Wood
Nicholson	Worley
Oliver	

Nays—4

Hardin	Ross
Kern	Westbrook

Present—Not Voting

Waggoner

Absent

Cathey	Kenyon
Celaya	Mays
Davisson	Metcalf
of Eastland	Patterson of Mills
Dean	Pope
Dollins	Reader
Howard	Stevenson
Jones of Atascosa	Winfree
Kelt	

Absent—Excused

Bradford	Russell
Davis of Haskell	Tennant

SENATE BILL NO. 139 ON THIRD READING

Mr. Thornton moved that the constitutional rule, requiring bills to be

read on three several days, be suspended, and that Senate Bill No. 139 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—134

Adkins	James
Alexander	Johnson of Ellis
Alsup	Johnson
Amos	of Tarrant
Baker	Jones of Angelina
Bates	Jones of Atascosa
Beckworth	Jones of Falls
Bell	Jones of Wise
Blankenship	Keefe
Boethel	Keith
Bond	Kelt
Boyer	Kenyon
Bridgers	Kern
Brown	King
Burton	Knetsch
Cagle	Langdon
Callan	Lankford
Carssow	Lanning
Cathey	Leath
Cauthorn	Leonard
Celaya	Leyendecker
Cleveland	Little
Colquitt	Loggins
Davis of Jasper	London
Davison of Fisher	Lucas
Davisson	Mann
of Eastland	Mauritz
Deglandon	McConnell
Derden	McCracken
Dickison	McDonald
England	McFarland
Felty	McKee
Fielden	McKinney
Fox	Metcalf
Fuchs	Moffett
Gibson	Monkhouse
Graves	Morris
Hamilton	Morse
Hankamer	Newton
Hanna	Nicholson
Harbin	Oliver
Hardin	Palmer
Harper	Patterson
Harrell	of Travis
Harris of Archer	Petsch
Harris of Dallas	Powell
Harris of Dickens	Prescott
Hartzog	Quinn
Heflin	Ragsdale
Herzik	Reed of Bowie
Holland	Reed of Dallas
Hoskins	Riddle
Howard	Roark
Huddleston	Ross
Hull	Rutta
Hyder	Schuenemann
Jackson	Settle

Sewell	Talbert
Sharpe	Tarwater
Shell	Tennyson
Simpson	Thornberry
Skaggs	Thornton
Smith of Hopkins	Vale
Smith	Waggoner
of Matagorda	Walker
Smith of Tarrant	Weldon
Stevenson	Winfree
Stinson	Wood
Stocks	Worley

Nays—5

Bradbury	Rhodes
Broadfoot	Westbrook
Farmer	

Absent

Dean	Patterson of Mills
Dollins	Pope
Mays	Reader

Absent—Excused

Bradford	Russell
Davis of Haskell	Tennant

The Speaker then laid Senate Bill No. 139 before the House on third reading and final passage.

The bill was read third time.

Mr. Harris of Archer offered the following amendment to the bill:

Amend committee amendment No. 1 to Senate Bill No. 139, page 4, by striking out all of the words in line 24, beginning after the words "Feed Laws" in line 24, and by striking out all of the words in the lines following down to and including the words "similar services" in line 38.

Mr. Hartzog moved the previous question on the pending amendment and the final passage of Senate Bill No. 139, and the main question was ordered.

Mr. Hartzog moved to reconsider the vote by which the main question was ordered, and to table the motion to reconsider.

The motion to table prevailed.

Question first recurring on the amendment by Mr. Harris of Archer, it was lost.

Senate Bill No. 139 was then passed by the following vote:

Yeas—97

Adkins	Baker
Alexander	Bates
Alsup	Bell
Amos	Blankenship

Boethel	Loggins
Bond	Mann
Boyer	Mauritz
Bridgers	Mays
Brown	McConnell
Burton	McCracken
Cagle	McDonald
Callan	McKee
Carssow	McKinney
Cauthorn	Metcalf
Celaya	Moffett
Cleveland	Monkhouse
Colquitt	Morris
Davison of Fisher	Morse
Davisson	Newton
of Eastland	Nicholson
Deglandon	Oliver
Derden	Patterson
Dickison	of Travis
England	Powell
Felty	Quinn
Fox	Reed of Dallas
Gibson	Riddle
Graves	Roark
Hamilton	Ross
Hankamer	Rutta
Harbin	Schuenemann
Harper	Settle
Harris of Dallas	Sewell
Harris of Dickens	Shell
Hartzog	Simpson
Heflin	Skaggs
Herzik	Smith
Hoskins	of Matagorda
Hull	Smith of Tarrant
Hyder	Stinson
Jones of Angelina	Stocks
Jones of Atascosa	Talbert
Jones of Wise	Tarwater
Keefe	Thornberry
Keith	Thornton
King	Vale
Langdon	Waggoner
Lankford	Walker
Leonard	Winfree
Little	Wood

Nays—36

Beckworth	Kelt
Bradbury	Kenyon
Broadfoot	Kern
Cathey	Knetsch
Davis of Jasper	Lanning
Farmer	Leath
Fielden	London
Fuchs	Lucas
Hanna	Patterson of Mills
Hardin	Petsch
Harrell	Prescott
Harris of Archer	Ragsdale
Holland	Reed of Bowie
Huddleston	Rhodes
James	Sharpe
Johnson of Ellis	Smith of Hopkins

Tennyson	Westbrook
Weldon	Worley
Absent	
Dean	Leyendecker
Dollins	McFarland
Howard	Palmer
Jackson	Pope
Johnson	Reader
of Tarrant	Stevenson
Jones of Falls	

Absent—Excused

Bradford	Russell
Davis of Haskell	Tennant

REASON FOR VOTE

I voted "Nay" on committee amendment No. 1 to Senate Bill No. 139, the "Appropriation Bill for the Institutions of Higher Learning of this State," for the reason that it increases the cost of government approximately \$3,000,000.00 for the next biennium.

REED of Bowie.

ADDITIONAL SIGNER OF HOUSE BILL

By unanimous consent of the House, the following Member was authorized to sign bill, as co-author of same, as follows:

Mr. Keefe, House Bill No. 479.

MESSAGE FROM THE SENATE

Austin, Texas, May 18, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has reported adversely the following: House Joint Resolution No. 48, Proposing an amendment to Section 24 of Article III, of the Constitution of the State of Texas, providing that Members of the Legislature shall receive a salary of Three Thousand (\$3,000.00) Dollars per annum, etc. (Resolution attached.)

Adopted.

H. C. R. No. 140, Instructing the Enrolling Clerk of the House to make certain changes in House Bill No. 113.

The Senate has granted the request of the House for a conference committee to adjust the differences between the two Houses on House Bill No. 1053.

The following have been appointed on the part of the Senate:

Senators Neal, Spears, Nelson,
Lemens and Beck.

Respectfully,

BOB BARKER,
Secretary of the Senate.

RECESS

On motion of Mr. Hartzog, the House at 12:10 o'clock p. m., took recess until 2:00 o'clock p. m., today.

AFTERNOON SESSION

The House met at 2:00 o'clock p. m., and was called to order by the Speaker.

LEAVES OF ABSENCE GRANTED

(By unanimous consent)

Mr. Schuenemann was granted leave of absence for this afternoon, on account of important business, on motion of Mr. Shell.

Mr. Russell was granted leave of absence for today, on account of important business, on motion of Mr. Keefe.

TO PROVIDE FOR THE CONSIDERATION OF LOCAL AND UNCONTESTED BILLS

Mr. Hankamer moved that the House convene at 7:30 o'clock p. m., today, for the purpose of considering local and uncontested bills.

The motion prevailed.

MESSAGE FROM THE SENATE

Austin, Texas, May 18, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the conference committee report on House Bill No. 547 by the following vote: Yeas, 23; Nays, 3.

Adopted the conference committee report on House Bill No. 774 by the following vote: Yeas, 28; Nays, 0.

The Senate has refused to concur in House amendments to Senate Bill No. 138, and requests the appointment of a conference committee to adjust the differences between the two Houses.

The following have been appointed on the part of the Senate:

Senators Redditt, Roberts, Lemens, Rawlings and Hill.

Passed

H. J. R. No. 24, Proposing an amendment to the Constitution of the State of Texas, amending Article XVI, Section 61, providing for the abolishing of the salary method of compensating all District, County, and Precinct officers of this State, and further providing that the Legislature may prescribe laws for compensating all District, County and Precinct officers on a fee basis; providing for the submission of this amendment to the voters of this State; providing for proclamation of said election by the Governor; and providing for the necessary appropriation to defray necessary expenses for the submission of this amendment.

Respectfully,

BOB BARKER,
Secretary of the Senate.

HOUSE BILL NO. 1175 WITH SENATE AMENDMENTS

Mr. Shell called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 1175, A bill to be entitled "An Act (Art. Granting easement to the United States in certain lands), and declaring an emergency."

The Speaker laid the bill before the House with the Senate amendments.

Mr. Shell moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

BILLS AND RESOLUTION SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills and resolution:

H. B. No. 424, "An Act regulating Industrial Homework; defining certain terms; prohibiting certain forms of industrial homework; empowering the Board of Health to enforce the provisions of this Act; prescribing the procedure to be used by the Board of Health; requiring an employers permit for industrial homework and providing a license fee therefor; requiring a certificate for any person who shall engage in industrial homework; requiring all materials or articles

manufactured by industrial homework to be labeled with the employers' name and address; providing that articles unlawfully manufactured by homework may be seized by the Board of Health; requiring an employer to keep records of industrial homework; making it the duty of the Board of Health to enforce the provisions of this Act; authorizing the Board of Health or its authorized representatives to administer oaths and take affidavits; providing a penalty, and declaring an emergency."

H. B. No. 1135, "An Act declaring it unlawful to take any fish from the waters of Hunt and Rains Counties, Texas, other than by ordinary hook line, set line or throw line, or by ordinary cordline, seine or net, the meshes of which are less than one and one-half inches square; provided that any such seine or net may be used during the period from March 1st through September 30th of each year; fixing a penalty, and declaring an emergency."

H. B. No. 711, "An Act amending Article 7005, Revised Civil Statutes of Texas, 1925, as amended by Acts, 1927, Fortieth Legislature, page 156, Chapter 105; Acts, 1931, Forty-second Legislature, page 755, Chapter 299; Acts, 1931, Forty-second Legislature, page 852, Chapter 360; Acts, 1933, Forty-third Legislature, page 14, Chapter 10; Acts, 1933, Forty-third Legislature, Special Law, page 59, Chapter 49; Acts, 1933, Forty-third Legislature, page 636, Chapter 213; and an Act amending Article 7008, Section 2, Revised Civil Statutes of Texas, 1925, as amended by Acts, 1931, Forty-second Legislature, First Called Session, page 73, Chapter 33, and declaring an emergency."

H. J. R. No. 24, Proposing an amendment to the Constitution of the State of Texas, amending Article XVI, Section 61, providing for the abolishing of the salary method of compensating all District, County, and Precinct officers of this State, and further providing that the Legislature may prescribe laws for compensating all District, County and Precinct officers on a fee basis; providing for the submission of this amendment to the voters of this State; providing for proclamation of said election by the Governor; and providing for the necessary appropriation to defray necessary expenses for the submission of this amendment.

S. B. No. 164, "An Act to amend Articles 5483 and 5486, Chapter 5, Title 90, of Revised Civil Statutes of 1925, and declaring an emergency."

SENATE BILL NO. 185 ON SECOND READING

Mr. Thornton moved that the regular order of business be suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 185, A bill to be entitled "An Act appropriating Five Million (\$5,000,000.00) Dollars per year, or so much thereof as may be necessary for the next biennium beginning September 1st, 1937, and ending August 31st, 1939, for the purpose of promoting public school interest and equalizing the educational opportunities afforded by the State to all children of scholastic age within the State, and declaring an emergency."

The roll of the House was called on the above motion and the vote announced as follows:

Yeas—93

Alsup	Hoskins
Amos	Hull
Bates	Hyder
Beckworth	Johnson
Bell	of Tarrant
Boethel	Jones of Angelina
Boyer	Jones of Wise
Bradbury	Keefe
Bridgers	Keith
Broadfoot	Kenyon
Brown	Kern
Burton	King
Cauthorn	Knetsch
Cleveland	Lankford
Colquitt	Lanning
Davis of Jasper	Leonard
Deglandon	Leyendecker
Derden	Little
Dickison	Loggins
Felty	London
Fielden	Lucas
Fox	Mays
Graves	McConnell
Hamilton	McFarland
Harbin	McKee
Hardin	Moffett
Harper	Newton
Harrell	Nicholson
Harris of Archer	Palmer
Harris of Dallas	Powell
Harris of Dickens	Prescott
Hartzog	Quinn
Herzik	Ragsdale
Holland	Reed of Bowie

Reed of Dallas	Stevenson
Rhodes	Stinson
Roark	Stocks
Ross	Talbert
Rutta	Tennyson
Settle	Thornberry
Sharpe	Thornton
Shell	Vale
Simpson	Waggoner
Skaggs	Walker
Smith of Hopkins	Weldon
Smith	Winfree
of Matagorda	Worley
Smith of Tarrant	

Nays—1

Farmer

Absent

Adkins	Jones of Atascosa
Alexander	Jones of Falls
Baker	Kelt
Blankenship	Langdon
Bond	Leath
Cagle	Mann
Callan	Mauritz
Carssow	McCracken
Cathey	McDonald
Celaya	McKinney
Davison of Fisher	Metcalfe
Davisson	Monkhouse
of Eastland	Morris
Dean	Morse
Dollins	Oliver
England	Patterson of Mills
Fuchs	Patterson
Gibson	of Travis
Hankamer	Petsch
Hanna	Pope
Heflin	Reader
Howard	Riddle
Huddleston	Sewell
Jackson	Tarwater
James	Westbrook
Johnson of Ellis	Wood

Absent—Excused

Bradford	Schuenemann
Davis of Haskell	Tennant
Russell	

The point of order was raised, that there was not a quorum present.

The Speaker sustained the point of order.

Mr. Sharpe moved a call of the House for the purpose of securing and maintaining a quorum until 5:00 o'clock p. m., today, and the call was duly ordered.

On motion of Mr. Sharpe, the Sergeant-at-Arms was instructed to bring in all absent Members within the city who are not ill.

The roll of the House was again called, and the following Members were present:

Mr. Speaker	Kenyon
Alsup	Kern
Amos	King
Baker	Knetsch
Bates	Langdon
Beckworth	Lankford
Bell	Lanning
Boethel	Leonard
Boyer	Leyendecker
Bradbury	Little
Bridgers	Loggins
Broadfoot	London
Brown	Lucas
Burton	McConnell
Cagle	McFarland
Callan	McKee
Carssow	Moffett
Cauthorn	Monkhouse
Cleveland	Morse
Colquitt	Newton
Davis of Jasper	Nicholson
Davison of Fisher	Palmer
Davisson	Patterson of Mills
of Eastland	Prescott
Deglandon	Quinn
Derden	Ragsdale
Dollins	Reader
Farmer	Reed of Bowie
Felty	Reed of Dallas
Fielden	Roark
Fox	Ross
Hamilton	Rutta
Hankamer	Settle
Harbin	Sharpe
Hardin	Shell
Harper	Simpson
Harrell	Smith of Hopkins
Harris of Archer	Smith
Harris of Dallas	of Matagorda
Harris of Dickens	Smith of Tarrant
Hartzog	Stevenson
Herzik	Stinson
Holland	Talbert
Hoskins	Tarwater
Howard	Tennyson
Huddleston	Thornberry
Hull	Thornton
Hyder	Vale
James	Waggoner
Johnson of Ellis	Walker
Jones of Angelina	Weldon
Jones of Falls	Westbrook
Jones of Wise	Winfree
Keefe	Wood
Keith	Worley

Absent

Adkins	Bond
Alexander	Cathey
Blankenship	Celaya

Dean	McCracken
Dickison	McDonald
England	McKinney
Fuchs	Metcalfe
Gibson	Morris
Graves	Oliver
Hanna	Patterson
Heflin	of Travis
Jackson	Petsch
Johnson	Pope
of Tarrant	Powell
Jones of Atascosa	Rhodes
Kelt	Riddle
Leath	Sewell
Mann	Skaggs
Mauritz	Stocks
Mays	

Absent—Excused

Bradford	Schuenemann
Davis of Haskell	Tennant
Russell	

The Speaker announced that there was a quorum present.

Question again recurring on the motion by Mr. Thornton to suspend the regular order of business for the purpose of taking up and considering Senate Bill No. 185 until disposed of, it prevailed.

The Speaker laid the bill before the House, and it was read second time.

(Mr. Alexander in the Chair.)

Mr. Thornton offered the following committee amendment to the bill:

Amend Senate Bill No. 185, by striking out all below the enacting clause and inserting in lieu thereof the following:

"Section 1. (Appropriations) For the purpose of promoting public school interest and equalizing the educational opportunities afforded by the State to all children of scholastic age within the State including sufficient funds to match Federal funds appropriated for the purpose of conducting Vocational Agriculture, Home Economics, Trades and Industries, General Rehabilitation and Rehabilitation for Crippled Children, there is hereby appropriated out of the General Revenue Fund, Five Million, Five Hundred Thousand (\$5,500,000.00) Dollars or so much thereof as may be necessary for the school year ending August 31, 1938, and Five Million, Five Hundred Thousand (\$5,500,000.00) Dollars or as much there as may be necessary for the school year ending August 31, 1939. There

is hereby allocated out of the above appropriation for each year the sum of Five Hundred Thousand (\$500,000.00) Dollars for the special purpose of supplementing teachers' salaries, and providing that the basis thereof shall be not less than Eighty-five (\$85.00) Dollars per month for an eight (8) months term and that a part of said Five Hundred Thousand (\$500,000.00) Dollars may be used for raising the base salary of school superintendents and heads of schools as may be deemed advisable by said State Board of Education, under rules and regulations to be promulgated by said Board. All moneys hereinafter specifically allocated for aid for the hereinafter enumerated purposes shall be controlled, supervised, and expended for such purposes solely by the State Board of Education. For the purpose of the efficient disbursement of said funds in compliance with the provisions of this Act, the State Board of Education is hereby directed and authorized to appoint a Director of Rural Aid. The Director shall be paid a salary of not to exceed Three Thousand (\$3,000.00) Dollars per year, payable in equal monthly installments out of the sum hereinafter appropriated for the administration of this Act, and said Director shall be directly responsible to the State Board of Education for the administration of this Act and for the disbursement of the sums hereinafter appropriated. The Director of Rural Aid shall report to the State Board of Education at such times as the State Board of Education may direct.

Sec. 2. (Scholastic Population of District) State Aid under the provisions of this Act may be distributed in such a way as to assist all schools of not fewer than twenty (20) scholastics and not more than four hundred (400) scholastics located in districts of not more than five hundred (500) scholastics, and consolidated and/or rural high school districts which have an average of not more than two hundred (200) scholastics of each original district composing the consolidated and/or rural high school districts unit, and all districts composed of entire counties having a scholastic population of less than five thousand (5,000); providing the provisions of this Section shall not apply to any school district containing forty-eight (48) square miles of territory or more, or any district of a

length of not less than nine (9) miles, for the purpose of receiving Transportation Aid. It is expressly understood that the provisions and limitations of this Section shall not apply to Industrial Aid, Vocational Aid, and Aid for Crippled Children.

Sec. 2a. The budgeting of funds, local or otherwise, of schools or districts applying for any type of aid shall be in accordance with the maximum amounts allowed for various items of expenditure as set up by the State Board of Education; provided further that in arriving at the annual budget requirements for schools, the total amount of taxes levied for the district shall be counted as receipts for such school.

Sec. 3. (Distance Between Schools) No aid shall be granted to any school under the provisions of this Act which is located within three (3) miles of another school, of the same race, by the nearest public road; provided that this restriction shall not apply to elementary schools in a consolidated and/or rural high school district nor to any district which at some previous election has voted to remove such conditions by consolidation.

Sec. 4. (Teacher-pupil Load) State aid under the provisions of this Act shall be allotted upon the basis of one teacher for any number of scholastics from twenty (20) to thirty-five (35) and one additional teacher for each additional thirty (30) scholastics; but said additional teacher shall not be added until at least five (5) additional scholastics have been secured. The basis for calculation shall be the net scholastic enumeration of white or colored race as the case may be, including the transfers into the district and excluding the transfers out of the district for the current year, and there shall be deducted all scholastics who have completed the course of study in their home school as authorized by the classification of the county board of trustees.

Sec. 4a. No school shall be granted aid under the provisions of this Act if said school has transferred or received pupils transferred from another district for the express purpose of securing aid for another teacher.

Sec. 5. Average Daily Attendance. No school shall be granted aid under the provisions of this Act whose average daily attendance has not reached sixty-five (65) per cent of

its net scholastics by the end of the fifth month of such school. If at the time of the visit of the State Inspector any school applying for aid shall not have maintained an average daily attendance of sixty-five (65) per cent of its net scholastics, from the beginning of school until the date of said visit, but is in all other respects eligible for aid, then the amount to which this school shall be entitled, provided the attendance requirements is met, shall be set aside for such school until March 1st. If proof cannot be produced by that date to show that the required percentage has been reached, no aid shall be allowed such school, and the amount allotted to said school shall revert to the Equalization Fund to be prorated among other schools qualifying for aid. Districts where parochial schools are maintained are exempt from the provisions of the Section.

Sec. 6. Tax Levy. No school district shall be eligible to receive aid under the provisions of this Act unless it shall be providing for the annual support of its schools by voting, levying, and collecting for the current year a local school tax of not less than One (\$1.00) Dollar on the one hundred dollars of property valuation in the entire district, inclusive of the tax for interest and sinking fund for bonds; and providing further that the property valuation shall not be less than said property is valued for State and county purposes. Provided further that after August 31, 1938, no school district shall be eligible to receive aid unless it shall have collected for the preceding year, not less than seventy (70) per cent of the total amount of taxes levied for the district; provided further that in arriving at the annual budget requirements for schools the total amount of taxes levied for the district shall be counted as receipts for such school. Any school district which shall after September 1st of the current year reduce its existing property assessment and/or existing tax rates, thereby enabling it to participate under this Act, shall not be eligible to receive aid from any of the funds herein provided.

The provisions of this Section shall apply to all schools seeking State aid for salaries, for industrial equipment, for transportation of pupils, and for the payment of high school tuition as

to schools sending their pupils to a receiving high school.

Sec. 7. Taxable Wealth. No part of the aid herein provided for teachers' salaries shall be given to a school district with an assessed valuation in excess of Three Thousand (\$3,000.00) Dollars per scholastic as shown by the scholastic census, said valuation being assessed as provided heretofore; provided, that this Section does not apply to school districts that levy and assess a One (\$1.00) Dollar tax on the one hundred dollars valuation of taxable property.

Sec. 8. (Salary Schedule). All funds provided for by this Act shall be used for the exclusive purpose of extending the length of the school term of the school or schools situated in the district receiving such aid, on the basis of a schedule of teachers' salaries to be determined by the State Board of Education.

Should any school district eligible to receive any type of aid, under the provisions of this Act maintain a salary schedule in excess of the salary schedule as determined by the State Board of Education, the amount of aid received by such district shall be reduced by the amount of such excess. Should any school district employ fewer teachers than the net scholastics entitle it to employ, or pay salaries lower than the approved schedule, the aid for such school shall be based on the actual number of teachers employed and the actual salaries paid.

Sec. 9. (Length of Term). All schools of the unaffiliated class receiving Aid shall provide a term of approximately eight (8) months. These schools shall be so classified by the county board as to provide as nearly as possible an eight (8) months term out of State, county, and local funds. Should there not be sufficient funds to maintain the schools as herein stated, then Aid may be granted subject to the other provisions of this Act. Should any school district eligible to receive Aid under the provisions of this Act maintain a salary schedule in excess of the salary schedule as determined by the Director of Rural Aid, with the approval of the State Board of Education, the amount of Aid received by such school district shall be reduced by the amount of such excess.

Nothing in this Act shall be construed as forcing the consolidation of

any schools, nor shall any Aid be withheld from any school for its failure to consolidate.

Sec. 10. (High School Tuition) It is hereby expressly provided that a sufficient amount of funds appropriated by this Act shall be used for the payment of high school tuition not to exceed Seven (\$7.00) Dollars per pupil per month. High school tuition shall be paid according to the provisions of House Bill No. 158, General Laws, Regular Session, Forty-fourth Legislature, by the State Board of Education, as provided for in the terms of this Act. Provided that the provisions of this Section shall not apply to granting of Aid under terms of this Section for Vocational Education or Crippled Children. It is further provided that High School Tuition Aid as above set out, shall be granted for pupils transferred to outside high schools from the State Home for Dependent and Neglected Children at Waco and from the Alabama and Coushatti Indian Reservation near Livingston, provided the Aid so granted shall not exceed the per capita tuition charged other schools' transferred high school pupils by the high schools affected hereby.

Receiving high schools shall make application with the State Board of Education for the first term of school by February 15, each year, and shall make an estimate at that time of the total amount to be earned during the entire year. Final reports to the State Board of Education shall be made by June 15 of each year and any district which fails to make such report by that date shall not receive any of such aid. Provided further, that the County Superintendents shall review applications for high school tuition and transmit such reports to the State Board of Education by June 15 annually. Any school which fails to make final application and report with the State Board of Education for high school tuition by June 15 shall not be eligible to share in the distribution of this type of Aid.

Sec. 11. (Transportation Aid) The county superintendents and county school boards in the counties desiring to participate in the distribution of these funds for transportation purposes, are hereby required to set up and approve a county system of transportation for the purpose of transporting high school pupils, whose grades are not taught in the home

district, to a convenient classified or accredited high school, and in case of the existence of more than one such school, the one desired by the patrons of the home districts shall be selected, as shown by a petition by a majority of the patrons of such home district. And for the transportation of high school pupils shall be distributed to the counties on the basis of actual need and cost of operation of such public school buses, and in no event shall exceed Two (\$2.00) Dollars per month for each pupil transported whose residence is three (3) miles or more, by the nearest public road, from the school attended; provided the home district of such child shall be eligible to receive aid according to all other provisions of this law. In setting up such a system of transportation, the county superintendent and county school board shall pay due consideration to efficiency and economy by classifying schools on or before June 1 of each year of the biennium, in accordance with standards set up by the State Board of Education, by conducting hearings to determine convenience and necessity of bus routes and by eliminating duplicate routes. On or before August 1 of each year, the county superintendent of each county, desiring Transportation Aid, shall file in the office of the State Board of Education, with the person designated as State Supervisor of School Transportation, a county map showing all bus routes and schedules for all the buses which are to form a part of the county system. No aid shall be paid on any bus route in a county until the entire county system is approved by the State Board of Education, or its representative, which approval shall be had not later than August 31 of each year.

The expense of such transportation shall be paid out of funds hereby provided, not to exceed Two (\$2.00) Dollars per pupil per month. Provided, further, that in districts composing an entire county, high school Transportation Aid as authorized in this Section may be granted for the purpose of transporting high school pupils within such districts to the most convenient accredited high school.

It is further provided that the districts through which these buses travel may make provisions with the county superintendent and the county school board to have any other chil-

dren not provided for herein, transported within and between their respective districts, and said districts may make application for State Aid thereon to an amount not to exceed One (\$1.00) Dollar per month per pupil. Provided, that where regular buses do not run in sparsely settled section of counties which are operating under a county unit system, the county school board and county superintendent are authorized to make provisions for the transportation of pupils within said districts, and may make application for State Aid thereon to an amount not to exceed One (\$1.00) Dollar per month per pupil. Providing that all school districts containing one hundred (100) square miles of territory or more may receive Transportation Aid of Two (\$2.00) Dollars per month per pupil. And provided further that like Aid of One (\$1.00) Dollar per month per pupil shall be made in respect of transportation in any common school district in which there exists two school plants, one of which is a first class four (4) year high school and which said plants are separated by a distance of not less than three and one-half ($3\frac{1}{2}$) miles; provided further, that nothing in this Act, nor any ruling or regulation of the State Board of Education shall prevent any pupil living less than three miles from said school from being transported on buses operated wholly or in part by State Aid, provided the expense of such pupils' transportation shall be borne by the district.

On or before October 1 of each year, the County Superintendent of each county, which is to participate in the distribution of Equalization Funds for transportation purposes, shall send to the State Board of Education an application, accompanied by a report made on forms furnished by the Board showing the amount due said county for the first month of the school year, together with an estimate of the amount which will be earned at the rate per pupil herein allowed, by pupils from eligible districts. On the basis of this report, the first payment shall be made.

County boards and County Superintendents shall make a report not later than January 15 of each year of the actual number of children transported to date and on the basis of such reports all Transportation Aid shall be allotted. It is definitely understood

that any county which is eligible for this type of Aid that fails to make its final report by January 15, shall not share in the distribution of such transportation funds.

The State Board of Education is hereby given the right to prescribe rules and regulations governing the operation of school buses, with particular reference to safety devices and the proper management and control of school bus transportation within the State.

Sec. 12. (Penalty Provision) Any district violating any of the provisions of this Act, shall forfeit all rights to such Aid and may be disqualified to receive any Aid of any nature under any Section of this Act for the current year. Should any school which would otherwise be eligible to receive Aid, agree, provide, or contract with teachers to pay a smaller monthly salary during the remainder of the term following the granting of Aid, provided out of local funds, than is paid out of the State Funds then such school shall forfeit its right to receive Aid. Provided any Census Trustee who shall wilfully make any false report in his roll or summary shall forfeit the right of the district he serves to receive any amount of money that may be provided for in this Act.

Sec. 13. Industrial Aid. Aid may be granted to any one school in the district employing three or more teachers which will provide for the proper instruction and demonstration in farm mechanics, agriculture and home economics, according to the program approved and published by the State Board of Education and employing a teacher or teachers whose qualifications are in accordance with the approved and published standard of the State Department; provided, that the maximum Aid to be granted each department shall be the amount actually expended not to exceed One Hundred (\$100.00) Dollars for each department per year. It is expressly understood that the provisions and limitations of this Section shall not apply to Vocational Education and Crippled Children.

Sec. 14. Transfer of District. On the agreement of the boards of trustees of the districts concerned and, subject to the approval of the county superintendent, the trustees of a district which may be unable to maintain a satisfactory school may trans-

fer its entire scholastic enrollment to a convenient school of higher rank, and in such event all of the funds of the district, including the State aid to which the district would otherwise be entitled under the provisions of this Act, or such proportionate part thereof as may be necessary, may be used in carrying out such agreement.

Sec. 15. Teachers employed in state aid schools shall be required to have a minimum of two (2) years of college training or the equivalent thereof, and shall be required to have a Texas State Teachers' Certificate of no lower standing than a six-year elementary or a four-year high school school grade, provided that those teachers now employed in State schools not measuring up to this standard may continue their work in said aid school, if they will secure credits in some college or university whose credits are recognized by the University of Texas at the rate of six (6) semester hours every two (2) years from the effective date of this Act. Provided, however, that any teacher who has taught school in the public schools of this State for as many as fifteen (15) years, shall be exempt from the provisions of this Section.

Sec. 16. The trustees of the schools authorized to apply for Aid may send to the State Board of Education on forms provided by said State Board a list of the teachers employed in the schools showing the monthly salary, experience, and training of each, together with an itemized statement of budgeted receipts and expenditures and such other information as may be required. The application shall be sworn to by the president and secretary of the board of trustees of each of the schools applying for Aid. The county superintendent shall approve all contracts with teachers, supervising officers, and bus drivers in all schools applying for Salary, Transportation, Industrial Equipment, Tuition Aid under the provisions of this Act. All Aid granted out of the funds provided shall be allotted only on the basis of need based upon an approved budget of each district asking for any form of Aid, except as otherwise provided in this Act. All applications for Aid, shall be on file in the State Board of Education not later than October 1 of each year of the biennium, and any school not filing such application before such date of each year

shall not be eligible for aid for the current year.

It is provided that no application for Aid shall be approved until all applications filed before October 1 of the current year have been considered; and provided further, each application shall, if the amount of money available is not sufficient to pay all approved applications in full, receive the same proportion of Aid as every other approved application.

It is further provided, that the application for Aid (including high school tuition) for the current year shall not be approved in an amount in excess of the amount of money available during the current year for all types of Aid herein provided for. Even though the application for Aid, on a basis of need shown, exceed the amount of money available during the current year for all types of Aid, then each application shall be proportionately reduced so that the total of all approved applications for the current year will not exceed the amount of money available for said year for all types of Aid.

Sec. 17. All expenditures for costs of administering the various funds named in this Act shall be paid out of the moneys appropriated in this Act and such expenditures shall not exceed the amounts authorized by the general appropriation bill.

It is herein specifically provided that Four Million, Two Hundred and Eighty Thousand (\$4,280,000.00) Dollars of the moneys heretofore appropriated in Section 1 of this Act is hereby specifically allocated for the purpose of Rural Aid to be administered under the provisions of this Act; Five Hundred and Seventy Thousand (\$570,000.00) Dollars of said moneys is hereby allocated for Industrial Aid and to match Federal Funds for Vocational Agriculture, Home Economics, Trades and Industries, and General Rehabilitation according to the Federal Laws governing Vocational Education; One Hundred and Fifty Thousand (\$150,000.00) Dollars of said moneys is hereby allocated to support the State's Rehabilitation program for Crippled Children, each of the above named allocations being for each year of the biennium.

Provided that the Department of Vocational Rehabilitation is hereby authorized to receive donations and gifts and place same in the State Treasury of Texas in a special fund

to be used under the provisions of the Vocational Rehabilitation Act.

Sec. 18. Warrants for all money granted under the provisions of this Act shall be transmitted to treasurers of depositories of school districts to which Aid is granted in the same manner as warrants for State apportionments are now transmitted. The amount of money granted for each type of Aid, except high school tuition, shall be set up as a separate account by the district receiving same and disbursements from said accounts shall be made only for the specific purpose for which the money was granted. If the money in said fund is used for any purpose other than that for which allocated then said district shall not be eligible to receive any type of Aid for the following year. It shall be the duty of all treasurers of depositories to make annually, before September 10, of each year, itemized reports under oath to the State Board of Education of the expenditures of all money granted under the provisions of this Act. It shall also be the duty of each County School Superintendent, and each secretary of the school board of an independent school district to file with the State Board of Education, before September 10 of each year, a sworn account detailing the receipts and disbursements of all Rural Aid Funds, with correct cash balance on August 31, verified by the depository clerk. Failure to file such reports will make such district ineligible to receive Aid for the next year. It is provided that all unused balances in Rural Aid Funds in any district on August 31, shall be returned to the State Board of Education.

Not later than January 15 of each year, the State inspection of all Rural Aid schools shall be completed. Initial payment by warrant of not more than fifty per cent (50%) of the total amount allotted to any one school shall then be made, and the final payment shall be made on a percentage basis to such school in such a manner that all schools, whose applications for Aid have been approved, will receive the same proportion of Aid. After final payment is made, each district shall by August 31 of each year file with the State Board of Education a signed receipt acknowledging full payment of their approved claim and/or request. It is provided that any amount set aside for schools not having reached sixty-five per cent (65%) attendance

shall be prorated among the schools eligible to receive Aid or final payment.

Sec. 19. (Powers of the State Board of Education) It shall be the duty of the State Board of Education and it is hereby directed and authorized to take such action and to make such rules and regulations, not inconsistent with the terms of this Act, as may be necessary to carry out the provisions and intentions of this Act, and for the best interest of the school for whose benefit the funds are appropriated. It shall be the duty of the Director of Rural Aid to appoint, subject to the confirmation of the State Board of Education, not to exceed twenty-four (24) Inspectors whose duty it shall be to make a thorough investigation, in person of the grounds, building, equipment, teaching staff, and financial condition of each school applying for Aid; and no Aid shall be given unless it can be shown that all provisions of this Act have been complied with, and that such amount of aid is actually needed. Provided that the Deputy State Superintendents now employed by the State Department of Education shall be given preference by the Director for such Inspectors positions. Provided further, that no regulation of the State Board of Education shall conflict with any of the provisions of this bill or any present Statute. The Director of Rural Aid is further authorized to appoint, with the approval of the State Board of Education, four (4) stenographers, one secretary of Rural Aid and Transportation, one director of Health and Physical Education, and one Director of High School Supervision, such employees to be under the direct supervision of the Director of Rural Aid. The Supervisors, authorized hereunder, shall reside in their respective supervisory districts. The salaries and traveling expenses of all appointees, as provided for above in this Section, shall be paid out of moneys herein appropriated.

The personnel for administration of Vocational Education and Crippled Children shall consist of the following:

- 1 State Director of Vocational Agriculture;
- 1 State Supervisor of Vocational Agriculture;
- 1 Assistant Supervisor of Vocational Agriculture;
- 4 District Supervisors of Vocational Agriculture;

1 State Director of Trades and Industries and Chairman of Division;

1 State Supervisor of Trades and Industries;

4 District Supervisors of Trades and Industries;

1 State Director of Home Economics;

1 State Supervisor of Home Economics;

4 District Supervisors of Home Economics;

3 Stenographers for Vocational Agriculture and Trades and Industries and Home Economics Division.

Extra Stenographic help for Vocational Agriculture, Trades and Industries, and Home Economics Division;

1 Director of Vocational Rehabilitation;

2 Supervisors of Rehabilitation;

2 Supervisors of Crippled Children;

2 Stenographers;

1 Secretary;

1 Chief Clerk;

Extra Help;

1 Janitor for Vocational Agriculture, Trades and Industries, Home Economics Division;

The salaries and travel and other expenses of these appointees as provided for above in this Section shall be paid for out of moneys herein appropriated for Vocational Education, Rehabilitation, Crippled Children, respectively, and in amounts as passed by the Departmental Appropriation Bill for the Biennium ending August 31, 1939.

Sec. 20. (Miscellaneous Provisions) Rural schools accepting the provisions of this Act shall be entitled to share in the distribution of State and County Available School Funds and in all other school funds in the same manner as all other school districts; and in case high school grades are maintained, the community shall still be entitled to participate in the distribution of any Aid they may be extended by the Legislature of Texas for vocational or industrial purposes to high schools of the State; provided, however, that no school or school district shall be denied Aid for failure or refusal to buy any books, equipment, charts, and/or school supplies offered by any person, firm, or corporation unless the minutes of the State Board of Education of Texas show that said books, equipment, charts, and/or supplies were ap-

proved by a majority vote of said State Board of Education.

Sec. 21. It shall be unlawful for any county school superintendent or the superintendent of any common or independent school district, school teacher, county trustee and/or district trustee or any other person directly to use or promise to use, pay or promise to pay, any of the funds herein appropriated for the purpose of paying the salary and/or expenses of any person or persons to maintain a lobby for any purpose. Violation of this provision shall forfeit the right or rights of the county or any school district in the county from participating in the funds herein appropriated.

Provided further that no financial Aid shall ever be withheld from any school entitled to such Aid under the provisions of this bill by virtue of an alleged deficiency in the certificates held by the teaching personnel of any such school on account of and/or by virtue of any regulation of the State Superintendent of Public Instruction, the Department of Education, and/or the Board of Education, unless such rule or regulation is expressly provided by the Statutes of this State.

Sec. 22. Provided that the tax provisions and other inhibition provided in said bill shall not apply to the school where the Alabama Indians attend school in Polk County, Texas.

Sec. 23. Before September 10th of each year, the County Superintendent shall file with the State Board of Education a detailed statement, under oath, of all receipts and disbursements of each of the funds other than rural aid, of each district applying for aid. The secretary of the school board of an independent district applying for aid shall also comply with these provisions. Failure of any district to file such reports will make it ineligible to receive aid.

Sec. 24. Out of the funds allocated for rural aid in Section 1, there is hereby set aside each year the sum of Five Thousand (\$5,000.00) Dollars, or so much thereof as may be necessary, to enable the State Board of Education to audit the books of any district the Board desires to.

Sec. 25. (Repealing and Constitutional Clauses) All laws or parts of laws in conflict herewith are hereby repealed, and in the event any provision of this Act is declared unconstitutional or invalid the remain-

der of this Act shall, nevertheless, remain in effect.

Sec. 26. The State Board of Education is hereby required to have published copies of this Act and transmit same to the County Superintendent of Public Instruction of each county of this State and to the president of the board of each independent district of the State within sixty (60) days after this Act becomes effective.

Sec. 27. Out of the funds appropriated in this Act for Rural Aid, there is hereby set aside for each year of this biennium the sum of Fifty Thousand (\$50,000.00) Dollars to be used under the direction of the State Board of Education for allotting aid in exceptional cases to districts wherein there has been an unusual and unforeseen increase in scholastic population due to such conditions as extraordinary industrial development or similar circumstances and to which districts the transfer of the State apportionment out of the Available School Fund for such new pupils has not been made, in which case apportionments for Aid out of this allotment may be made without regard to the other provisions of this Act.

Sec. 28. (Emergency Clause) The fact that many schools are in need of additional Aid other than State per capita apportionment and local maintenance, and that public policy requires that proper provision be made for the maintenance and support of the schools with as little delay as possible, and the further fact that considerable time is required in preparation for carrying out the terms of this Act, create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days be and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

Mr. Patterson of Mills offered the following amendment to the committee amendment:

Amend committee amendment No. 1 to Senate Bill No. 185, Section 1, by striking out all of said Section and inserting in lieu thereof the following:

"Appropriation.—For the purpose of promoting public school interest and equalizing the educational opportunities afforded by the State to all

children of free school age within the State, including sufficient funds to match Federal Funds appropriated for the purpose of conducting classes in vocational agriculture, home-making, trades and industrial training, general rehabilitation, and rehabilitation for crippled children, there is hereby appropriated out of the General Revenue Fund, Seven Million Five Hundred Thousand (\$7,500,000.00) Dollars, or so much thereof as may be necessary, for the school year ending August 31, 1938, and Seven Million Five Hundred Thousand (\$7,500,000) Dollars, or so much thereof as may be necessary, for the school year ending August 31, 1939, to be allotted and expended by the State Superintendent under the direction of the State Board of Education; provided that any unexpended balance occurring at the end of the year 1938 may be transferred and added to the appropriation for the year ending August 31, 1939; and provided that any unexpended balances in any of the allotments of any of the funds appropriated herein may be transferred to other allotments for any of the other purposes for which such funds are appropriated."

PATTERSON of Mills,
JONES of Wise,
WORLEY.

Question—Shall the amendment by Mr. Patterson of Mills be adopted?

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 547

Mr. Moffett, Chairman, submitted the following Conference Committee Report on House Bill No. 547:

Austin, Texas, May 18, 1937.

Hon. R. W. Calvert, Speaker, House of Representatives.

Hon. Walter F. Woodul, President of the Senate.

Austin, Texas

Gentlemen: We, your Conference Committee, appointed to adjust the differences between the House and Senate on House Bill No. 547, have had same under consideration, and beg leave to report that we recommend the passage of said House Bill No. 547 in the form attached hereto.

Respectfully submitted,

HEAD,
ONEAL,
REDDITT,

COTTEN,
ISEBELL,

On the part of the Senate.

MOFFETT,
POPE,
CLEVELAND,
HAMILTON,
ALEXANDER,

On the part of the House.

H. B. No. 547,

A BILL

To Be Entitled

An Act to declare a State Policy regarding the activities of the various agricultural agencies of the State, especially as they affect cotton, and cotton products, and the increased use and consumption of same; directing that the heads of the State's various agricultural agencies shall take due notice of said policy; providing for the establishment of a cotton research laboratory and making an appropriation therefor, stating a contingency upon which said appropriation is made; providing that additional funds may be supplied by the United States Government; providing that the Board of Control may accept tracts of land, gifts, or grants; providing for construction to be under the Board of Control in co-operation with the Secretary of Agriculture; providing for transferring the property to the United States for so long as it uses the property for a cotton research laboratory; providing for the location of said laboratory; providing for the employment of architects, engineers, experts, etc.; providing for other necessary expenses; providing for the Comptroller to pay warrants; providing rules and regulations shall allow for co-operation between cotton-producing States, and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. "Declaration of Policy." By this Act it is expressly declared that the policy of the various agricultural agencies of the State of Texas shall be shaped so that the subject of the increased use and outlet for farm products, especially cotton, shall be stressed at least as much as the production of said products, and the heads of the various State agricultural agencies, departments, schools, colleges, etc., are hereby directed to take full and sufficient consideration of the policy herein established, and that the

activities of the various agencies mentioned above be revamped, where same has not already been done, so as to conform with the provisions of this Act.

Section 2. The sum of Two Hundred Fifty Thousand (\$250,000.00) Dollars is hereby appropriated, out of any funds in the Treasury of the State of Texas, not otherwise appropriated, for the purpose of establishing a Cotton Research Laboratory in Texas, in co-operation with the United States Department of Agriculture, wherein new uses of cotton and cotton products, and expansion of present uses may be sought out, discovered, and made available. The appropriation herein made is conditioned that the Federal Government will supply sufficient additional funds for the equipment of said laboratory, and for the adequate maintenance and operation of same. The Federal Government may also supply funds to augment the appropriation herein made for construction. Said construction shall be done under the direction of the Board of Control of the State of Texas, in co-operation with the Secretary of Agriculture of the United States Government, or his duly appointed representatives. The Board of Control is authorized to transfer title to the land and building constructed under this Act, to the Secretary of Agriculture of the United States when the United States Government agrees to operate and maintain such laboratory, but such transfer shall be subject to the reservation that if at any time the property is not used for the purposes of this Act, title thereto shall revert to the State of Texas. Said laboratory need not necessarily be located at the Agricultural and Mechanical College of Texas, but shall be at such location as may be determined to be the most feasible for the carrying out of the purposes of this Act. The State Board of Control is authorized to purchase, or accept, a suitable tract or tracts of land for the location of said laboratory. Said Board of Control is also authorized to accept grants or gifts from the United States Government or any other source to supplement the herein mentioned appropriation. Said Board of Control is further authorized, if necessary to employ architects, engineers, or experts to assist in the construction of said laboratory and necessary improvements thereto; and said

Board may, with the advice and consent of the Secretary of Agriculture, purchase equipment to be used in said laboratory. Plans and specifications for said laboratory shall be approved by the Secretary of Agriculture, or his duly appointed representatives, and the expense of locating, preparing plans and specifications, and any other necessary expense for the construction of said laboratory may be paid out of funds herein appropriated.

The Comptroller of Public Accounts of the State of Texas is authorized and directed to issue warrants against this appropriation upon requisition and claims presented and approved by the State Board of Control.

Specific reference is hereby made to the Bankhead-Jones Act passed by the Federal Congress and approved June 29, 1935, and Acts amendatory thereto, insofar as maintenance and operation of said laboratory is concerned, or to appropriation by Congress for such particular purposes. Rules and regulations prescribed for the cotton and cotton products laboratory shall allow for the co-operation of all cotton-producing states.

Section 3. The fact that Texas and American-grown cotton is being rapidly displaced in the foreign markets of the world, and the fact that there is now an immense surplus of cotton, which tends to lower the price of Texas and American-grown cotton in an amount that runs into the hundreds of millions of dollars, create an emergency and an imperative public necessity, requiring that the Constitutional Rule providing that bills be read on three separate days, be suspended and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

On motion of Mr. Moffett, the report was adopted by the following vote:

Yeas—130

Adkins	Bridgers
Alexander	Broadfoot
Alsup	Brown
Amos	Burton
Baker	Cagle
Bates	Callan
Beckworth	Carssow
Bell	Cathey
Blankenship	Cauthorn
Boethel	Celaya
Bond	Cleveland
Boyer	Colquitt
Bradbury	Davis of Jasper

Davison of Fisher	London
Davisson	Lucas
of Eastland	Mauritz
Deglandon	Mays
Derden	McConnell
Dickison	McKee
Dollins	McKinney
England	Metcalfe
Farmer	Moffett
Felty	Monkhouse
Fielden	Morris
Fox	Morse
Fuchs	Newton
Gibson	Nicholson
Graves	Palmer
Hamilton	Patterson of Mills
Hankamer	Patterson
Hanna	of Travis
Harbin	Petsch
Hardin	Pope
Harper	Powell
Harrell	Prescott
Harris of Archer	Quinn
Harris of Dallas	Ragsdale
Harris of Dickens	Reader
Hartzog	Reed of Bowie
Heflin	Reed of Dallas
Herzik	Rhodes
Holland	Riddle
Hoskins	Roark
Hull	Ross
Hyder	Rutta
Jackson	Settle
James	Sewell
Johnson of Ellis	Sharpe
Johnson	Shell
of Tarrant	Simpson
Jones of Angelina	Skaggs
Jones of Falls	Smith of Hopkins
Jones of Wise	Smith
Keefe	of Matagorda
Keith	Smith of Tarrant
Kelt	Stevenson
Kenyon	Stinson
King	Stocks
Knetsch	Talbert
Langdon	Tarwater
Lankford	Tennyson
Lanning	Thornton
Leath	Vale
Leonard	Weldon
Leyendecker	Winfree
Little	Wood
Loggins	Worley

Present—Not Voting

Westbrook

Absent

Dean	McDonald
Howard	McFarland
Huddleston	Oliver
Jones of Atascosa	Thornberry
Kern	Waggoner
Mann	Walker
McCracken	

Absent—Excused

Bradford	Schuenemann
Davis of Haskell	Tennant
Russell	

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 774

Mr. Celaya, Chairman, submitted the following Conference Committee Report on House Bill No. 774:

Austin, Texas, May 14, 1937.

Hon. Walter F. Woodul, President of the Senate,

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the House and Senate on House Bill No. 774, beg leave to report that we have considered the same and recommend that it do pass in the form and text attached hereto.

WESTERFELD,
LEMENS,
HOLBROOK,
ONEAL,
BURNS,

On the part of the Senate.

CELAYA,
BROADFOOT,
CAUTHORN,
NEWTON,
PETSCH,

On the part of the House.

H. B. No. 774,

A BILL

To Be Entitled

An Act amending certain Sections of Senate Bill No. 146, passed by the Regular Session of the Forty-fourth Legislature of the State of Texas, to-wit: Sections 5, 8, 11, 12, 15, 16 and 17; providing for the Public Safety Commission to appoint a Director and an Assistant Director whose salaries shall be fixed by the Legislature; providing for the Director with the advice and consent of the Commission to appoint Chiefs of the several Bureaus; providing for Texas Ranger captains, headquarters sergeant, and privates; providing that the Texas Highway Patrol Division shall consist of the Chief Patrol Officer, captains, sergeants, and privates as may be authorized by the Legislature, and such administrative and clerical help as determined by the Commission; providing for the Director with the advice and consent of the Commission to name the

Chief of the Bureau of Communications; providing for the Director with the advice and consent of the Commission to name the Chief of the Bureau of Intelligence; providing for the Director with the advice and consent of the Commission to name the Chief of the Bureau of Education, and providing for the Chief of said Bureau to organize schools and give instruction, and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. Amend Section 5 of Senate Bill No. 146, passed by the Regular Session of the Forty-fourth Legislature of the State of Texas, to read as follows:

"Section 5. The Commission shall appoint a Public Safety Director hereinafter designated as the 'Director', who shall be a citizen of this State and who shall hold his position until removed by the Commission. The Commission shall also appoint an Assistant Director who shall perform such duties as may be designated by the Director. The Director and Assistant Director shall be selected on the basis of training, experience, and qualifications for said positions, and shall have at least five (5) years experience, preferably police or public administration. The Director and Assistant Director shall draw annual salaries as fixed by the Legislature. The Director shall be directly responsible to the Commission for the conduct of all the affairs of the Department."

Sec. 2. Amend Section 8 of Senate Bill No. 146, passed by the Regular Session of the Forty-fourth Legislature of the State of Texas, to read as follows:

"Section 8. It shall be the duty of the Director with the advice and consent of the Commission to appoint the Chiefs of the several Bureaus provided for in this Act."

Sec. 3. Amend Section 11, paragraph 2, of Senate Bill No. 146, passed by the Regular Session of the Forty-fourth Legislature of the State of Texas, to read as follows:

"Section 11. (2) The Texas Rangers shall consist of six (6) captains, one headquarters sergeant, and such number of privates as may be authorized by the Legislature, except in cases of emergency when the Commission, with the consent of the Governor, shall have authority to increase the

force to meet extraordinary conditions."

Sec. 4. Amend Section 12, paragraph 2, of Senate Bill No. 146, passed by the Regular Session of the Forty-fourth Legislature of the State of Texas, to read as follows:

"Section 12. (2) The Texas Highway Patrol Division shall consist of the Chief Patrol Officer who shall be the executive officer of the Patrol and such number of captains, sergeants, and privates as may be authorized by the Legislature, and such administrative and clerical help as may be determined by the Commission."

Sec. 5. Amend Section 15, paragraph 1, of Senate Bill No. 146, passed by the Regular Session of the Forty-fourth Legislature of the State of Texas, to read as follows:

"Section 15. (1) It shall be the duty of the Director with the advice and consent of the Commission to name the Chief of the Bureau of Communications."

Sec. 6. Amend Section 16, paragraph 1, of Senate Bill No. 146, passed by the Regular Session of the Forty-fourth Legislature of the State of Texas, to read as follows:

"Section 16. (1) It shall be the duty of the Director with the advice and consent of the Commission to name the Chief of the Bureau of Intelligence."

Sec. 7. Amend Section 17, paragraph 1, of Senate Bill No. 146, passed by the Regular Session of the Forty-fourth Legislature of the State of Texas, to read as follows:

"Section 17. (1) It shall be the duty of the Director with the advice and consent of the Commission to name the Chief of the Bureau of Education. The Chief of said Bureau shall organize schools for the members of the Department and other peace officers, and shall give instruction in such schools, and he shall have had substantial experience in law enforcement work and in the instruction of law enforcement officers."

Sec. 8. The fact that the organization of the Department of Public Safety, as provided for in the present law, is cumbersome and that in some instances, the efficiency of the Department is affected constitutes an emergency and an imperative public necessity that the Constitutional Rule

requiring bills to be read on three several days in each House be, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

On motion of Mr. Celaya, the report was adopted by the following vote:

Yeas—128

Adkins	James
Alexander	Johnson of Ellis
Alsup	Johnson
Amos	of Tarrant
Baker	Jones of Angelina
Bates	Jones of Falls
Beckworth	Jones of Wise
Bell	Keefe
Boethel	Keith
Bond	Kelt
Boyer	Kenyon
Bradbury	Kern
Bridgers	King
Broadfoot	Knetsch
Brown	Langdon
Burton	Lankford
Cagle	Lanning
Callan	Leath
Carssow	Leonard
Cathey	Leyendecker
Cauthorn	Little
Celaya	Loggins
Cleveland	London
Colquitt	Lucas
Davis of Jasper	Mauritz
Davison of Fisher	Mays
Deglandon	McConnell
Derden	McCracken
Dickison	McKee
Dollins	Metcalf
England	Moffett
Farmer	Monkhouse
Felty	Morris
Fielden	Morse
Fox	Newton
Gibson	Nicholson
Graves	Palmer
Hamilton	Patterson of Mills
Hankamer	Patterson
Hanna	of Travis
Hardin	Petsch
Harper	Pope
Harrell	Powell
Harris of Archer	Prescott
Harris of Dallas	Quinn
Hartzog	Ragsdale
Heflin	Reed of Bowie
Herzik	Reed of Dallas
Holland	Riddle
Hoskins	Roark
Howard	Ross
Hull	Rutta
Hyder	Settle
Jackson	Sewell

Sharpe	Tarwater
Shell	Tennyson
Simpson	Thornberry
Skaggs	Thornton
Smith of Hopkins	Vale
Smith	Walker
of Matagorda	Weldon
Smith of Tarrant	Westbrook
Stevenson	Winfree
Stinson	Wood
Stocks	Worley
Talbert	

Absent

Blankenship	Mann
Davisson	McDonald
of Eastland	McFarland
Dean	McKinney
Fuchs	Oliver
Harbin	Reader
Harris of Dickens	Rhodes
Huddleston	Waggoner
Jones of Atascosa	

Absent—Excused

Bradford	Schuenemann
Davis of Haskell	Tennant
Russell	

HOUSE BILL NO. 1120 WITH
SENATE AMENDMENTS

Mr. Roark called up from the Speakers' table, with Senate amendments, for consideration of the amendments,

H. B. No. 1120, A bill to be entitled "An Act fixing the salary of County Commissioners in all counties having an assessed valuation of not less than \$16,000,000.00 nor more than \$17,000,000.00, and containing a population of not less than 19,000 nor more than 19,900 according to the last Federal Census; repealing all laws in conflict herewith, and declaring an emergency."

The Speaker laid the bill before the House with the Senate amendments.

On motion of Mr. Roark, the House concurred in the Senate amendments.

CONFERENCE COMMITTEE RE-
PORT ON SENATE BILL
NO. 74

Mr. Celaya, Chairman, submitted the following Conference Committee Report on Senate Bill No. 74:

Austin, Texas, April 30, 1937.

Honorable Walter F. Woodul, President of the Senate.

Honorable R. W. Calvert, Speaker of the House.

Sirs: We, your Conference Com-

mittee, appointed to adjust the differences between the House and Senate on Senate Bill No. 74, beg leave to report that we have considered the same and recommend that it do pass in the form and text attached hereto.

REDDITT,
PACE,
STONE,
BROWNLEE,
SHIVERS.

On the part of the Senate.

CELAYA,
McKEE,
THORNTON,
JAMES,
ENGLAND,

On the part of the House.

S. B. No. 74,

A BILL

To Be Entitled

An Act defining and regulating the practice of professional engineering in the State of Texas; providing for the creation of the State Board of Registration for Professional Engineers and prescribing their powers and duties, terms of office, qualifications and for payment of their compensation and expenses out of the "Professional Engineering Fund" as provided in this law; providing for removal of members of the Board for cause; providing for creation of "Professional Engineers Fund" and appropriating money therefrom; prescribing requirements for registration of professional engineers; providing for registration fees and for examinations of applicants for certificate of registration and for issuance and use of certificates and seals; providing for issuance of renewal certificates on payment of renewal fees; providing that a firm, co-partnership, corporation or joint stock association may engage in the practice of professional engineering in this State provided such practice is carried on by only professional engineers registered in this State; providing for issuance within one year after this Act becomes effective of certificates, on certain conditions, to residents of Texas practicing professional engineering in Texas at time this Act becomes effective; providing that after January 1, 1938, it shall be unlawful for this State, or

any of its political subdivisions, or any county, city or town, to engage in the construction of public work involving professional engineering, unless plans, specifications and estimates have been prepared for the construction to be executed under direct supervision of a registered professional engineer, provided that such provision shall not apply to any public work wherein the contemplated expenditure for completed project does not exceed \$3,000.00; providing for certain exemptions; prescribing certain reciprocity provisions for professional engineers holding certificates of registration as such issued under authority of National Council of State Boards of Engineering Examiners, or National Bureau of Engineering Registration, or any State or Territory or Possession of the United States, or any Country under certain conditions; providing the grounds on which the Board may revoke certificates of registration and for hearings on such charges; providing for suit against the Board in certain District Courts to annul or vacate order of the Board revoking certificate of registration; defining as a misdemeanor certain acts committed after the first day of January, 1938, prescribing the penalties for such violations and that each day of such violation shall be a separate offense; prescribing duties of the Board in connection with enforcement of provisions of Act and duties of Attorney General and his assistants as legal advisers of the Board, declaring certain legislative intent in respect to this Act; repealing conflicting laws, provided, however, that this Act shall not be construed as repealing or amending any law affecting or regulating licensed State Land Surveyors and that Licensed State Land Surveyors in performing their duties as such shall not be subject to the provisions of this Act; and further providing that this Act shall not be construed to affect or prevent the practice of any other legally recognized profession by members of such profession licensed by the State, and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Sec. 1. That in order to safeguard life, health, and property, any

person practicing or offering to practice the profession of engineering as hereinafter defined shall hereafter be required to submit evidence that he is qualified so to practice and shall be registered as hereinafter provided; and it shall be unlawful for any person to practice or offer to practice the profession of engineering in this State, or to use in connection with his name or otherwise assume, use, or advertise any title or description tending to convey the impression that he is a professional engineer unless such person has been duly registered or exempted under the provisions of this Act.

Sec. 2. Definitions.—The term professional engineer as used in this Act shall mean a person who, by reason of his knowledge of mathematics, the physical sciences, and the principles of engineering, acquired by professional education and practical experience, is qualified to engage in engineering practice as hereinafter defined.

The practice of professional engineering within the meaning and intent of this Act includes any professional service, such as construction, investigation, evaluation, planning, design, or responsible supervision of construction in connection with any public or private utilities, structures, buildings, machines, equipment, processes, works, or projects, wherein the public welfare, or the safeguarding of life, health or property is concerned or involved, when such professional service requires the application of engineering principles and interpretation of engineering data.

The term Board as used in this Act shall mean the State Board of Registration for Professional Engineers, provided for by this Act.

Sec. 3. State Board of Registration for Professional Engineers.—**Appointment of Members.**—**Terms.**—A State Board of Registration for Professional Engineers is hereby created whose duty it shall be to administer the provisions of this Act. The Board shall consist of six professional engineers, who shall be appointed by the Governor of the State, with the advice and consent of the Senate. The members of the first Board shall be appointed within ninety (90) days after this Act becomes effective, to serve the following terms: Two members for two years; two members for four years; and two members for six years, from the date of their appoint-

ment or until their successors are duly appointed and qualified. Thereafter, at the expiration of the term of each member first appointed, his successor shall be appointed by the Governor of the State and he shall serve for a term of six years or until his successor shall be appointed and qualified. Before entering upon the duties of his office each member of the Board shall take the constitutional oath of office and the same shall be filed with the Secretary of State. Each member of the Board first appointed hereunder shall receive a certificate of registration under this Act from said Board.

Sec. 4. Qualifications of Members of Board.—Each member of the Board shall be a citizen of the United States and a resident of this State for a period of ten (10) years prior to his appointment, and shall have been engaged in the practice of the profession of engineering for at least ten (10) years, two (2) years of which may be credited for graduation from an approved engineering school. Responsible charge of engineering teaching may be construed as the practice of professional engineering.

Sec. 5. Compensation and Expenses of Board Members.—Each member of the Board shall receive the sum of Ten (\$10.00) Dollars per day for each day he is actually engaged in the duties of his office, including time spent in necessary travel, together with all legitimate expenses incurred in the performance of such duties. All per diem and expenses incurred hereunder shall be paid from the "Professional Engineers' Fund" as provided in this law. No money shall ever be paid for the administration of this Act from the General Funds of the State.

Sec. 6. Removal of Members of Board.—**Vacancies.**—The Governor may remove any member of the Board for misconduct, incompetency, or neglect of duty. Vacancies in the membership of the Board shall be filled for the unexpired term by appointment by the Governor as provided in this Act.

Sec. 7. Organization and Meetings of the Board.—The Board shall hold a meeting within thirty (30) days after its members are first appointed, and thereafter shall hold at least two regular meetings each year. Special meetings shall be held at such time

as the by-laws of the Board may provide. Notice of all meetings shall be given in such manner as the by-laws may provide. The Board shall elect or appoint annually from its own membership the following officers; A Chairman, A Vice-Chairman, and a Secretary. A quorum of the Board shall consist of not less than four members.

Sec. 8. Powers of the Board.—The Board shall have the power to make all by-laws and rules, not inconsistent with the Constitution and Laws of this State, which may be reasonably necessary for the proper performance of its duties and the regulations of the proceedings before it. The Board shall adopt and have an official seal. The Board shall have such additional power as may be conferred by other provisions of this Act.

Sec. 9. Receipts and Disbursements.—The Secretary of the Board shall receive and account for all moneys derived under the provisions of this Act, and shall pay the same weekly to the State Treasurer who shall keep such moneys in a separate fund to be known as the "Professional Engineers' Fund." Such fund shall be paid out only by warrant of the State Comptroller upon the State Treasurer, upon itemized vouchers, approved by the Chairman and attested by the Secretary of the Board. All moneys in the "Professional Engineers' Fund" are hereby specifically appropriated for the use of the Board in the administration of this Act. The Secretary of the Board shall give a surety bond to the Governor of the State of Texas in the sum of Two Thousand Five Hundred (\$2,500.00) Dollars. The premium on said bond shall be paid out of the "Professional Engineers' Fund." The Secretary of the Board shall receive such salary as the Board shall determine in addition to the compensation and expenses provided for in this Act. The Board shall employ such clerical or other assistants as are necessary for the proper performance of its work, and may make expenditures of this fund for any purpose which in the opinion of the Board is reasonably necessary for the proper performance of its duties under this Act. Under no circumstances shall the total amount of warrants issued by the State Comptroller in payment of the expenses and compensation provided for in this Act exceed the

amount of the "Professional Engineer's Fund." Provided further, that the salaries paid herein shall not be in excess of salaries paid for similar work in other departments.

Sec. 10. Records and Reports.—The Board shall keep a record of its proceedings and register of all applications for registration, which register shall show (a) the name, age and residence of each applicant; (b) the date of the application; (c) the place of business of such applicant; (d) his educational and other qualifications; (e) whether or not an examination was required; (f) whether the applicant was rejected; (g) whether a certificate of registration was granted; (h) the date of the action of the Board; and (i) such other information as may be deemed necessary by the Board.

The records of the Board shall be available to the public at all times and shall be prima facie evidence of the proceedings of the Board set forth therein, and a transcript thereof, duly certified by the Secretary of the Board under seal, shall be admissible in evidence with the same force and effect as if the original was produced.

Annually, as of August 31st, the Board shall submit to the Governor a report of its transaction of the proceeding year, and shall also transmit to him a complete statement of the receipts and expenditures of the Board, attested by affidavits of its Chairman and its Secretary.

Sec. 11. Roster of Registered Engineers.—A roster showing the names and places of business of all registered professional engineers shall be prepared by the Secretary of the Board during the month of July of each year, commencing with the month of July, 1938. Copies of this roster shall be mailed to each person so registered, placed on file with the Secretary of State, and furnished to the public upon request.

Sec. 12. General requirements for Registration.—The following shall be considered as minimum evidence satisfactory to the Board that the applicant is qualified for registration as a professional engineer, to-wit:

(a) Graduation from an approved course in engineering of four (4) years or more in a recognized school or college approved by the Board as of satisfactory standing, and a specific record of an additional four (4) years

or more of active practice in engineering work, of a character satisfactory to the Board, indicating that the applicant is competent to be placed in responsible charge of such work, or

(b) Successfully passing a written, or written and oral, examination designed to show knowledge and skill approximating that attained through graduation from an approved four years engineering course; and a specific record of at least eight years of active practice in engineering work of a character satisfactory to the Board and indicating that the applicant is competent to be placed in responsible charge of such work.

(c) At any time within five years after this Act becomes effective the Board may accept as evidence that the applicant is qualified for registration as a professional engineer a specific record of twelve years or more of active practice in engineering work of a character satisfactory to the Board and indicating that the applicant is qualified to design, to operate, or to supervise construction of engineering work and has had responsible charge of important engineering work for at least five years and provided applicant is not less than thirty-five years of age, and was not practicing professional engineering at the time this Act becomes effective.

(d) After this Act shall have been in effect five years, the Board shall issue Certificates of Registration only to those applicants who meet the requirements of Section 12, (a), or (b), or Section 21.

(e) Provided, that no person shall be eligible for registration, as a professional engineer who is not of good character and reputation; and provided further, that any engineer licensed under this Act shall be eligible to hold any appointive engineering position with the State of Texas.

(f) In considering the qualifications of applicants, responsible charge of engineering teaching may be construed as responsible charge of engineering work. The satisfactory completion of each year of an approved course in engineering in a school or college approved by the Board as of satisfactory standing, without graduation, shall be considered as equivalent to a year of active practice. Graduation in a course other than engineering from a college or university of recognized standing shall be considered as

equivalent to two years of active practice; provided, however, that no applicant shall receive credit for more than four years of active practice because of educational qualifications. The mere execution, as a contractor, of work designed by a professional engineer, or the supervision of the construction of such work as foreman or superintendent shall not be deemed to be active practice in engineering work.

(g) Any person having the necessary qualifications prescribed in this Act to entitle him to registration shall be eligible for such registration though he may not be practicing at the time of making his application.

Sec. 13. Applications and Registration Fees.—Applications for registration shall be on forms prescribed and furnished by the Board, shall contain statements made under oath, showing the applicant's education and detail summary of his technical work, and shall contain not less than five references, of whom three or more shall be engineers having personal knowledge of his engineering experience.

The registration fee for professional engineers shall be Twenty-five (\$25.00) Dollars, Fifteen (\$15.00) Dollars of which shall accompany the application, the remaining Ten (\$10.00) Dollars to be paid upon issuance of certificate. When a Certificate of Qualification issued by the National Bureau of Engineering Registration is accepted as evidence of qualification, the total fee for registration as professional engineer shall be Ten (\$10.00) Dollars.

Sec. 14. Examinations.—When oral or written examinations are required, they shall be held at such time and place as the Board shall determine. The scope of the examinations and the methods of procedure shall be prescribed by the Board with special reference to the applicant's ability to design and supervise engineering works, which shall insure the safety of life, health, and property. Examinations shall be given for the purpose of determining the qualifications of applicants for registration in professional engineering. A candidate failing on examination may apply for re-examination at the expiration of six months and will be re-examined without payment of additional fees. Re-examination may be granted at any time upon payment of a fee to be determined by the Board.

Sec. 15. Certificates, Seals.—The Board shall issue a certificate of registration upon payment of registration fee as provided for in this Act, to any applicant, who, in the opinion of the Board, has satisfactorily met all the requirements of this Act. In case of a registered engineer, the certificate shall authorize the practice of professional engineering. Certificates of registration shall show the full name of the registrant, shall have a serial number, and shall be signed by the Chairman and the Secretary of the Board under seal of the Board. The issuance of a certificate of registration by this Board shall be evidence that the person named therein is entitled to all rights and privileges of a registered professional engineer, while the said certificate remains unrevoked or unexpired.

Each registrant hereunder shall upon registration obtain a seal of the design authorized by the Board, bearing the registrant's name and the legend "Registered Professional Engineer." Plans, specifications, plats, and reports issued by a registrant shall be stamped with the said seal when filed with public authorities, during the life of the registrant's certificate, but it shall be unlawful for any one to stamp or seal any documents with said seal after the certificate of the registrant named thereon has expired or has been revoked, unless said certificate shall have been renewed or reissued.

Sec. 16. Expirations and Renewals.—Certificates of registration shall expire on the last day of the month of December following their issuance or renewal and shall become invalid on that date unless renewed. It shall be the duty of the Secretary of the Board to notify every person registered under this Act, of the date of the expiration of his certificate and the amount of the fee that shall be required for its renewal for one year; such notice shall be mailed at least one month in advance of the date of the expiration of said certificate. Renewal may be effected at any time during the month of December by the payment of a fee of Five (\$5.00) Dollars. The failure on the part of any registrant to renew his certificate annually in the month of December as required above shall not deprive such person of the right of renewal, but the fee to be paid for the renewal of a certificate after the month of

December shall be increased ten per cent for each month or fraction of a month that renewal payment is delayed; provided, however, that the maximum fee for delayed renewal shall not exceed twice the normal renewal fee.

Sec. 17. Firms, Partnerships, Corporations and Joint Stock Associations. A firm, or a co-partnership, or a corporation, or a joint stock association may engage in the practice of professional engineering in this State, provided such practice is carried on by only professional engineers registered in this State.

Sec. 18. Practitioners at Time Act Becomes Effective.—At any time within one year after this Act becomes effective, upon due application therefor and the payment of the registration fee of Twenty-five (\$25.00) Dollars for professional engineers, the Board shall issue a certificate of registration, without oral or written examination, to any professional engineer who shall submit evidence under oath satisfactory to the Board that he is of good character, has been a resident of the State of Texas for at least one year immediately preceding the date of his application, and was practicing professional engineering at the time this Act became effective, and has had responsible charge of work of a character satisfactory to the Board.

After this Act shall have been in effect one year, the Board shall issue certificates of registration only as provided for in Section 12 or Section 21 thereof.

Sec. 19. Public Work. After the first day of January, 1938, it shall be unlawful for this State, or for any of its political subdivisions, for any county, city, or town, to engage in the construction of any public work involving professional engineering, where public health, public welfare or public safety is involved, unless the engineering plans and specifications and estimates have been prepared by, and the engineering construction is to be executed under the direct supervision of a registered professional engineer; provided, that nothing in this Act shall be held to apply to any public work wherein the contemplated expenditure for the completed project does not exceed Three Thousand (\$3,000.00) Dollars. Provided, that this Act shall not apply to any road maintenance or betterment work un-

dertaken by the County Commissioners' Court.

Sec. 20. Exemptions.—The following persons shall be exempt from the provisions of this Act, to-wit:

(a) A person not a resident of and having no established place of business in this State, practicing or offering to practice here the profession of engineering, when such practice does not exceed in the aggregate more than sixty days in any calendar year; provided, such person is legally qualified by registration to practice the said profession in his own state or country in which the requirements and qualifications for obtaining a certificate of registration are not lower than those specified in this Act.

(b) A person not a resident of and having no established place of business in this State, or who has recently become a resident thereof, practicing or offering to practice herein for more than sixty days in any calendar year the profession of engineering, if he shall have filed with the Board an application for a certificate of registration and shall have paid the fee required by this Act. Such exemption shall continue only for such time as the Board requires for the consideration of the application for registration; provided, that such a person is legally qualified to practice said profession in his own state or country which the requirements and qualifications for obtaining a certificate of registration are not lower than those specified in this Act.

(c) An employee or a subordinate of a person holding a certificate of registration under this Act, or any employee of a person exempted from registration by Classes (a) and (b) of this Section; provided, his practice does not include responsible charge of design or supervision.

(d) Officers and employees of the Government of the United States while engaged within this State in the practice of the profession of engineering for said Government.

(e) Nothing in this Act shall be construed to apply to persons doing the actual work of installing, operating, repairing, or servicing locomotive or stationary engines, steam boilers, Diesel engines, internal combustion engines, refrigeration compressors and systems, hoisting en-

gines, electrical engines, air conditioning equipment and systems, or mechanical and electrical equipment and apparatus; nor shall this Act be construed to prevent any citizen from identifying himself in the name and trade of any engineers' labor organization with which he may be affiliated. Provided, however, that nothing in this Act shall be construed as permitting any person other than a licensed professional engineer from affixing his signature as such to engineering plans, specifications or estimates.

(f) Nothing in this Act shall be construed to apply to persons erecting or building any private dwelling.

Section 21. Reciprocity. The Board may, upon application therefor, and the payment of a fee of Ten (\$10.00) Dollars, issue a Certificate of Registration as a Professional Engineer to any person who holds a Certificate of Qualification or Registration issued to him by proper authority of the National Council of State Boards of Engineering Examiners, or of the National Bureau of Engineering Registration, or of any State or Territory or Possession of the United States, or any Country, provided that the requirements for the registration of professional engineers under which said certificate of qualification or registration was issued do not conflict with the provisions of this Act and are of a standard not lower than that specified in Section 12 of this Act.

Section 22.—Revocations and Re-Issuances of Certificates.—The Board shall have the power to revoke the certificate of registration of any registrant who is found guilty of:

(a) The practice of any fraud or deceit in obtaining a certificate of registration;

(b) Any gross negligence, incompetency, or misconduct in the practice of professional engineering as a registered professional engineer.

In determining any such charges the Board shall proceed upon sworn information furnished it by any reliable resident of this State; such information shall be in writing and shall be duly verified by the person familiar with the facts therein charged, and three copies of the same shall be filed with the Secretary of the Board. Upon receipt of such information the Board, if it deems the

information sufficient to support further action on its part, shall make an order setting the charge therein contained for hearing at a specified time and place, and the Secretary of the Board shall cause a copy of the Board's order and of the information to be served upon the accused at least thirty days before the date appointed in the order for the hearing. The accused may appear in person or by council, or both, at the time and place named in the order and make his defense to the same. If the accused fails or refuses to appear, the Board may proceed to hear and determine the charges in his absence. If the accused pleads guilty, or upon a hearing of the charges the Board and a majority of its members shall find them to be true, it may enter an order revoking the certificate of registration of such registered professional engineer. The Board shall have the power, through its Chairman or Secretary, to administer oaths and compel the attendance of witnesses before it as in civic cases in the District Court by subpoena issued over the signature of the Secretary and seal of the Board. If the accused desires the evidence to be preserved and shall so inform the Board before the hearing is begun and shall deposit with the Board such a sum of money as the Board may deem reasonably necessary for the employment of a stenographer, then the Board shall employ such stenographer and when so employed he shall be the official stenographer of the Board for the purpose of reporting the evidence and proceedings of such Board. In proceedings under this Section, as under others, a majority of the Board shall constitute a quorum.

When the Board has completed such hearing it shall make a record of its findings and order and shall cause a certified copy thereof to be forwarded to the accused.

Any person who may feel himself aggrieved by reason of the revocation of his certificate of registration by the Board, as hereinabove authorized, shall have the right to file suit within thirty days after receiving notice of the Board's order revoking his certificate of registration, in the District Court of the County of his residence, or of the county in which the alleged offense relied upon as grounds for revocation took place, to annul or vacate the order of the Board revoking the certificate of reg-

istration. Said suit shall be filed against the Board as defendant, and service of process may be had upon its Chairman or Secretary. The suit shall be tried as other civil causes, the burden of proof devolving upon the plaintiff assailing the order of revocation.

The Board, for reasons it may deem sufficient, may reissue a certificate of registration to any person whose certificate has been revoked, provided four or more members of the Board vote in favor of such reissuance. A new certificate of registration, to replace any certificate revoked, lost, destroyed, or mutilated, may be issued, subject to the rules of the Board, and a charge of Three (\$3.00) Dollars shall be made for such issuance.

Sec. 23. Violations and Penalties.— On or after the first day of January, 1938, any person who shall practice, or offer to practice, the profession of engineering in this State without being registered or exempted in accordance with the provisions of this Act, or any person presenting or attempting to use as his own the certificate of registration or the seal of another, or any person who shall give any false or forged evidence of any kind to the Board or to any member thereof in obtaining a certificate of registration, or any person who shall violate any of the provisions of this Act, be fined not less than One Hundred (\$100.00) Dollars nor more than Five Hundred (\$500.00) Dollars, or be confined in jail for a period of not exceeding three months, or both. Each day of such violation shall be a separate offense.

The Board is charged with the duty of aiding in the enforcement of the provisions of this Act, and any member of the Board may present to a prosecuting officer complaints relating to violations of any of the provisions of this Act; and the Board through its members, officers, a council and agents may assist in the trial of any cases involving alleged violation of said statutes, subject to the control of the prosecuting officers.

The Attorney General or his assistants shall act as legal advisors of the Board and shall render such legal assistance as may be necessary in enforcing and making effective the provisions of this Act; provided that this shall not relieve the local prosecuting officers of any of their duties under the law as such.

Sec. 24. Invalid Portions.—If any article, section, subsection, sentence, clause or phrase of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Act. The Legislature hereby declares that it would have passed this Act and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more of the sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Sec. 25. Repeal of Conflicting Legislation with Proviso. All laws or parts of laws in conflict with the provisions of this Act shall be and the same are hereby repealed. Provided, however, that this Act shall not be construed as repealing or amending any law affecting or regulating Licensed State Land Surveyors; and such Licensed State Land Surveyors in performing their duties as such shall not be subject to the provisions of this Act; nor shall this Act be construed to affect or prevent the practice of any other legally recognized profession by the members of such profession licensed by the State or under its authority.

Sec. 26. The fact that there is at this time no law requiring professional engineers to be registered, and the further fact that there are a large number of persons calling themselves engineers who are not efficient; and the further fact that the public is paying large sums of money for construction and have no way of knowing the qualifications of the engineers employed on these constructions and have no protection from this incompetence, and the further fact that the Legislative Calendar is crowded with bills, creates an emergency and an imperative public necessity requiring the suspension of the Constitutional Rule which requires bills to be read in each House on three several days and that such Rule be and the same is hereby suspended and that this Act shall take effect and be in force from and after its passage and it is so enacted.

On motion of Mr. Celaya, the report was adopted by the following vote:

Yeas—110

Adkins	Baker
Alexander	Bates
Amos	Beckworth

Bell	Kenyon
Blankenship	King
Boethel	Knetsch
Bond	Langdon
Boyer	Lanning
Bradbury	Leath
Bridgers	Leonard
Brown	Leyendecker
Burton	Little
Cagle	Loggins
Callan	London
Carssow	Mauritz
Cathey	Mays
Cauthorn	McConnell
Celaya	McCracken
Cleveland	McDonald
Colquitt	McFarland
Davis of Jasper	McKee
Davisson	McKinney
of Eastland	Metcalfe
Deglandon	Moffett
Derden	Monkhouse
Dickison	Morse
Dollins	Newton
England	Nicholson
Farmer	Patterson of Mills
Felty	Petsch
Fielden	Quinn
Fox	Ragsdale
Gibson	Reader
Hamilton	Reed of Dallas
Hankamer	Rhodes
Hanna	Ross
Harbin	Rutta
Hardin	Settle
Harper	Sewell
Harris of Archer	Sharpe
Harris of Dallas	Shell
Hartzog	Simpson
Heflin	Smith
Herzik	of Matagorda
Holland	Smith of Tarrant
Hoskins	Stocks
Hull	Talbert
Hyder	Tarwater
James	Tennyson
Johnson of Ellis	Thornberry
Johnson	Thornton
of Tarrant	Vale
Jones of Angelina	Waggoner
Jones of Falls	Weldon
Jones of Wise	Winfree
Keefe	Wood
Kelt	

Nays—17

Broadfoot	Patterson
Davison of Fisher	of Travis
Harrell	Prescott
Keith	Reed of Bowie
Kern	Roark
Lankford	Skaggs
Lucas	Smith of Hopkins
Morris	Westbrook
Palmer	Worley

Absent

Alsup	Mann
Dean	Oliver
Fuchs	Pope
Graves	Powell
Harris of Dickens	Riddle
Howard	Stevenson
Huddleston	Stinson
Jackson	Walker
Jones of Atascosa	

Absent—Excused

Bradford	Schuenemann
Davis of Haskell	Tennant
Russell	

Mr. Thornton moved to reconsider the vote by which the report was adopted, and to table the motion to reconsider.

The motion to table prevailed.

MESSAGE FROM THE SENATE

Austin, Texas, May 18, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the conference committee report on House Bill No. 838 by a viva-voce vote.

Adopted the conference committee report on House Bill No. 130 by the following vote: Yeas, 15; Nays, 14.

Respectfully,

BOB BARKER,
Secretary of the Senate.

MOTION TO INSTRUCT CONFEREES ON SENATE BILL NO. 138

Mr. Ragsdale submitted the following motion:

"I move that the House conferees on Senate Bill No. 138 be instructed to reduce the total amount appropriated in said Senate Bill No. 138 by not less than 10% of the total amount contained in said bill as finally passed by the House of Representatives; provided no reductions shall be made in those salaries under \$1,500.00 per year."

RAGSDALE,
WOOD,
PRESCOTT,
HARDIN,
BECKWORTH,
BATES,
FIELDEN,
KERN,

HUDDLESTON,
REED of Bowie,
KELT,
SMITH of Hopkins,
LONDON,
DERDEN,
HARRELL,
CATHEY,
FUCHS,
WELDON,
JONES of Angelina,
HARPER,
HERZIK,
JOHNSON of Ellis,
HEFLIN,
SIMPSON,
SKAGGS,
STOCKS,
RHODES,
WESTBROOK,
HARBIN.

Mr. Mays moved to table the motion by Mr. Ragsdale.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—49

Adkins	Keefe
Baker	Leath
Boethel	Leonard
Boyer	Leyendecker
Bridgers	Loggins
Callan	Mays
Carssow	McConnell
Cauthorn	McFarland
Cleveland	Metcalfe
Colquitt	Monkhouse
Davison of Fisher	Morse
Davisson	Patterson
of Eastland	of Travis
Deglandon	Quinn
Dickison	Reader
Felty	Riddle
Hamilton	Ross
Hankamer	Settle
Harris of Archer	Sewell
Harris of Dallas	Smith
Harris of Dickens	of Matagorda
Holland	Talbert
Hoskins	Thornberry
Jackson	Thornton
Johnson	Vale
of Tarrant	Walker
Jones of Falls	

Nays—78

Alsup	Blankenship
Amos	Bond
Bates	Bradbury
Beckworth	Broadfoot
Bell	Brown

Burton	McKee
Davis of Jasper	Moffett
Derden	Morris
Dollins	Newton
Farmer	Nicholson
Fielden	Oliver
Fox	Palmer
Fuchs	Patterson of Mills
Gibson	Petsch
Hanna	Powell
Harbin	Prescott
Hardin	Ragsdale
Harper	Reed of Bowie
Harrell	Reed of Dallas
Heflin	Rhodes
Herzik	Roark
Hull	Rutta
Hyder	Sharpe
Johnson of Ellis	Shell
Jones of Angelina	Simpson
Jones of Wise	Skaggs
Keith	Smith of Hopkins
Kelt	Smith of Tarrant
Kenyon	Stevenson
Kern	Stinson
King	Stocks
Knetsch	Tarwater
Langdon	Tennyson
Lankford	Waggoner
Lanning	Weldon
London	Westbrook
Lucas	Winfree
Mauritz	Wood
McDonald	Worley

Absent

Alexander	Huddleston
Cagle	James
Cathey	Jones of Atascosa
Celaya	Little
Dean	Mann
England	McCracken
Graves	McKinney
Hartzog	Pope
Howard	

Absent—Excused

Bradford	Schuenemann
Davis of Haskell	Tennant
Russell	

Mr. Jones of Wise offered the following amendment to the motion by Mr. Ragsdale:

Amend Ragsdale motion, by striking out "10%" and substituting "5%" and by striking out "\$1,500.00" and substituting "\$2,400.00".

JONES of Wise,
BOETHEL.

Mr. Fielden moved the previous question on the pending amendment and the motion by Mr. Ragsdale, and the main question was ordered.

Question first recurring on the amendment by Mr. Jones of Wise, it was adopted.

Question then recurring on the motion by Mr. Ragsdale, as amended, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—60

Amos	Lankford
Bates	Lanning
Beckworth	London
Bell	Lucas
Bradbury	Mauritz
Bridgers	Moffett
Broadfoot	Newton
Brown	Nicholson
Burton	Oliver
Cathey	Palmer
Davis of Jasper	Patterson of Mills
Derden	Petsch
Fielden	Powell
Fox	Prescott
Fuchs	Ragsdale
Hanna	Reed of Bowie
Harbin	Rhodes
Hardin	Sharpe
Harrell	Skaggs
Harris of Archer	Smith of Tarrant
Heflin	Stevenson
Hull	Stinson
Jackson	Stocks
Jones of Angelina	Tarwater
Kelt	Tennyson
Keith	Walker
Kenyon	Weldon
Kern	Westbrook
King	Wood
Knetsch	Worley

Nays—70

Adkins	Felty
Alexander	Graves
Alsup	Hamilton
Baker	Hankamer
Blankenship	Harper
Boethel	Harris of Dallas
Bond	Harris of Dickens
Boyer	Hartzog
Callan	Holland
Carssow	Hoskins
Cauthorn	Huddleston
Celaya	Hyder
Cleveland	James
Colquitt	Johnson of Ellis
Davison of Fisher	Johnson
Davisson	of Tarrant
of Eastland	Jones of Falls
Deglandon	Jones of Wise
Dickison	Langdon
Dollins	Leonard
England	Leyendecker
Farmer	Little

Loggins	Riddle
Mays	Roark
McConnell	Ross
McCracken	Rutta
McDonald	Settle
McFarland	Shell
McKinney	Simpson
Metcalfe	Smith of Hopkins
Monkhouse	Smith
Morris	of Matagorda
Morse	Talbert
Patterson	Thornberry
of Travis	Thornton
Reader	Vale
Reed of Dallas	Winfree

Absent

Cagle	Leath
Dean	Mann
Gibson	McKee
Herzik	Pope
Howard	Quinn
Jones of Atascosa	Sewell
Keefe	Waggoner

Absent—Excused

Bradford	Schuenemann
Davis of Haskell	Tennant
Russell	

CONFERENCE COMMITTEE AP-
POINTED ON SENATE BILL
NO. 138

The Speaker announced the appointment of the following Conference Committee, on the part of the House, on Senate Bill No. 138:

Messrs. Graves, Davison of Fisher, Harris of Dickens, Metcalfe and Thornberry.

HOUSE BILL NO. 144 WITH
SENATE AMENDMENTS

Mr. Reed of Dallas called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 144, A bill to be entitled "An Act to correct malpractice in the building construction industry by safeguarding the public against the irresponsible practice of the profession of architecture; defining and regulating the practice of architecture; creating a Board of Architectural Examiners; providing for appointment of the Board; fixing the terms of office; providing for appointment of their successors and for filling vacancies; fixing the qualifications of the members of said Board; requiring each member to take the oath

of office and file same with the Secretary of State; providing for the election of various officers of said Board; requiring the bonding of the secretary-treasurer; providing for the adoption of necessary rules, regulations, and by-laws of said Board to govern its proceedings and activities; prescribing the duties of the various members of said Board; providing for fees collected by said Board to be deposited in a special fund in the State Treasury; providing for an appropriation from said fund to pay salaries, compensations, and other expenses of said Board, etc., and declaring an emergency."

The Chair laid the bill before the House with the Senate amendments.

On motion of Mr. Reed of Dallas, the House concurred in the Senate amendments by the following vote:

Yeas—107

Adkins	Harbin
Alexander	Harper
Alsup	Harrell
Amos	Harris of Archer
Baker	Harris of Dallas
Beckworth	Harris of Dickens
Bell	Hartzog
Blankenship	Heflin
Boethel	Herzik
Bond	Holland
Boyer	Hoskins
Bradbury	Howard
Bridgers	Jackson
Broadfoot	Johnson
Brown	of Tarrant
Burton	Jones of Angelina
Carssow	Jones of Falls
Cathey	Jones of Wise
Cauthorn	Keefe
Celaya	Kelt
Cleveland	Kenyon
Colquitt	King
Davis of Jasper	Knetsch
Davison of Fisher	Langdon
Davisson	Lanning
of Eastland	Leath
Deglandon	Leonard
Derden	Leyendecker
Dickison	Little
Dollins	Mays
England	McConnell
Farmer	McCracken
Felty	McDonald
Fox	McFarland
Fuchs	Moffett
Graves	Monkhouse
Hamilton	Morris
Hankamer	Morse
Hanna	Newton

Nicholson	Shell
Oliver	Smith of Hopkins
Patterson of Mills	Smith
Patterson	of Matagorda
of Travis	Smith of Tarrant
Petsch	Stevenson
Quinn	Stinson
Ragsdale	Stocks
Reader	Talbert
Reed of Dallas	Tennyson
Rhodes	Thornberry
Riddle	Thornton
Roark	Vale
Ross	Walker
Rutta	Winfree
Settle	Wood
Sharpe	

Nays—17

Bates	Powell
Callan	Prescott
Hardin	Reed of Bowie
Huddleston	Simpson
Kern	Skaggs
Lankford	Weldon
Lucas	Westbrook
Palmer	Worley
Pope	

Present—Not Voting

Tarwater

Absent

Cagle	Loggins
Dean	London
Fielden	Mann
Gibson	Mauritz
Hull	McKee
Hyder	McKinney
James	Metcalfe
Johnson of Ellis	Sewell
Jones of Atascosa	Waggoner
Keith	

Absent—Excused

Bradford	Schuenemann
Davis of Haskell	Tennant
Russell	

HOUSE BILL NO. 293 WITH
SENATE AMENDMENTS

Mr. McDonald called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 293, A bill to be entitled "An Act to amend Article 3875 (5898), Title 60, Revised Civil Statutes of the State of Texas, 1925, to provide for the use of funds collected under this title for research and research facilities relating to the administration of the Feeding Stuff Law and for other purposes, and declaring an emergency."

The Chair laid the bill before the House with the Senate amendments.

Mr. McDonald moved that the House concur in the Senate amendments to House Bill No. 293.

Mr. Harris of Archer moved, as a substitute motion, that the House do not concur in Senate amendments to House Bill No. 293, and that a conference committee be appointed to adjust the differences between the two Houses.

Mr. McDonald moved to table the motion by Mr. Harris of Archer.

The motion to table was lost.

Question then recurring on the substitute motion by Mr. Harris of Archer, it prevailed.

HOUSE BILL NO. 572 WITH
SENATE AMENDMENTS

Mr. Walker called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 572, A bill to be entitled "An Act amending Article 2544, R. C. S. of Texas, 1925, Article 2545, R. C. S. of Texas, 1925, Article 2546, R. C. S. of Texas, 1925, Article 2547, R. C. S. of Texas, 1925, as amended by Chapter 129, Acts, Fortieth Legislature, as amended by Chapter 11, Acts, Forty-first Legislature, as amended by Chapter 19, Acts, Forty-third Legislature, as amended by Chapter 66, Acts, Forty-third Legislature; . . . etc., and declaring an emergency."

The Chair laid the bill before the House with the Senate amendments.

On motion of Mr. Walker, the House concurred in the Senate amendments by the following vote:

Yeas—121

Adkins	Cagle
Alexander	Callan
Alsup	Carssow
Amos	Cathey
Baker	Cauthorn
Bates	Cleveland
Beckworth	Colquitt
Bell	Davis of Jasper
Blankenship	Davison of Fisher
Boethel	Deglandon
Bond	Derden
Boyer	Dickison
Bradbury	Dollins
Broadfoot	England
Brown	Farmer
Burton	Felty

Fielden	Metcalf
Graves	Moffett
Hamilton	Morris
Hankamer	Morse
Hanna	Newton
Harbin	Nicholson
Hardin	Oliver
Harper	Palmer
Harrell	Patterson of Mills
Harris of Archer	Patterson
Harris of Dallas	of Travis
Harris of Dickens	Pope
Hartzog	Powell
Herzik	Prescott
Holland	Quinn
Hoskins	Ragsdale
Howard	Reader
Hyder	Reed of Bowie
James	Reed of Dallas
Johnson of Ellis	Rhodes
Johnson	Riddle
of Tarrant	Roark
Jones of Angelina	Ross
Jones of Falls	Rutta
Jones of Wise	Settle
Keefe	Sharpe
Keith	Shell
Kelt	Simpson
Kern	Skaggs
King	Smith of Hopkins
Knetsch	Smith
Lankford	of Matagorda
Lanning	Smith of Tarrant
Leath	Stevenson
Leonard	Stinson
Leyendecker	Stocks
Little	Talbert
Loggins	Tarwater
London	Thornton
Lucas	Vale
Mauritz	Waggoner
Mays	Walker
McConnell	Weldon
McCracken	Westbrook
McDonald	Wood
McKinney	Worley

Absent

Bridgers	Jones of Atascosa
Celaya	Kenyon
Davisson	Langdon
of Eastland	Mann
Dean	McFarland
Fox	McKee
Fuchs	Monkhouse
Gibson	Petsch
Heflin	Sewell
Huddleston	Tennyson
Hull	Thornberry
Jackson	Winfree

Absent—Excused

Bradford	Schuenemann
Davis of Haskell	Tennant
Russell	

MESSAGES FROM THE GOVERNOR

The Chair laid before the House, and had read the following messages from the Governor:

Austin, Texas, May 18, 1937.

To the Members of the Forty-fifth Legislature:

I have today vetoed and disapproved House Bill 1034 for the following reasons:

1.

Briefly stated, this bill authorizes the State Parks Board to acquire for use as a public park Padre Island off the coast of Texas at a consideration not to exceed \$500,000.00, including improvements. The bill authorizes the State Highway Commission to construct, maintain and operate bridges and causeways; and authorizes the State Parks Board to charge tolls to be fixed by the Highway Commission and the Board, out of which tolls the cost of the lands and improvements shall be paid. It authorizes the borrowing of money from the United States Government.

The bill authorizes the purchase of Padre Island "without acquiring mineral rights to said land and subject to existing grazing lease contracts which are to expire within three (3) years from the date said purchase is completed."

I doubt the wisdom of the State acquiring land for park purposes without also acquiring mineral rights. The reservation of mineral rights in private owners would subject any parks or improvements created or built to explorations for oil at any time. It is a matter of common knowledge that all of the coastal territory is potential oil land; and certainly no State park ought to be subjected to explorations for oil and possibly the bringing in of a tremendous oil field which would destroy its value for park purposes without a cent of benefit to the State. As I understand it, the Federal Government will not acquire property for park purposes where there is a reservation of mineral rights. The same policy would seem to be equally desirable from the standpoint of the State.

2.

It is recited that the tract purchased on Padre Island contains approximately 90,000 acres of land. In other words, the State would not acquire the entire Island. The total consideration authorized to be paid for this tract

by the Parks Board, including costs of improvement, is \$500,000.00. It is a matter of common knowledge that when a stipulated maximum sum of money is authorized for the purchase of land, the agency charged with acquiring the property or expending the money rarely fails to use the entire amount. I dare say the contemplated expenditure would be no exception to the rule and the total amount of \$500,000.00 would probably be expended. From reliable information furnished me I doubt whether the land, including mineral rights, is worth more than the sum authorized to be expended.

While no direct taxes are levied in the bill for this appropriation, yet authority is granted to set up toll bridges and causeways, which would certainly be an indirect tax on the people; and we should just as jealously safeguard the interests of the people in expenditures of money from one source as another.

3.

The authority to purchase this land from private owners implies complete title to the entire area of Padre Island; and that the State has no interest whatever therein. The Island has never been surveyed, and consequently no field notes have been returned to the General Land Office. I find, however, that the title of private claimants to the land is based upon an old Spanish grant to Nicholas Balli and Juan Jose Balli, but only to 11½ leagues, and no more.

In response to an inquiry, J. H. Walker, former Land Commissioner, says that title to all these lands is asserted under this old grant; and that he never heard of any other grant.

In 1852 the Legislature of Texas confirmed title to "Nicholas Balli and Juan Jose Balli 11½ leagues, called Padre Island (Gam. 3, p. 947)." As a matter of fact, I am certain that Padre Island actually contains over 30 leagues of land.

The confirmation of title to the Ballis by the Legislature in 1852 is based upon the report of William H. Bourland, reading, in part, as follows:

"Nicolas Guisanti and Jose Maria Tobar apply for a 11½ leagues of pasture land called 'Padre Island' originally granted by the Spanish Government to one Nicolas Balli and subsequently confirmed to him and his nephew Juan Jose Balli by the

Mexican authorities. Witnesses prove the occupation of the said tract of land by said original grantee and his nephew for the last 50 years; and that they kept thereon the requisite number of stock to entitle them to the grant of 11½ leagues, never having any adverse claimants, etc. They having obtained a title from the proper authorities and resided upon the lands peaceably for a number of years; we recommend for confirmation 11½ leagues only to the heirs or assigns of original grantee, for we feel confident that the Island called 'Padre's Island' contains or embraces over 30 leagues of land. It is therefore to be understood that we recommend only 11½ leagues of said Island.—For testimony in this case See File no. 37 Cameron County."

I direct your particular attention to the fact that this report recommended "only 11½ leagues of said Island." The grant itself, if in existence, is in the archives of the General Land Office and has never been surveyed. I think it is bad public policy to sign a bill recognizing title in private parties to what is actually over 30 leagues of land when in truth the claim to title could only be based on 11½ leagues of land. As pointed out above, this land is potentially valuable oil land, and we should be extremely wary in recognizing title in others to lands which probably belong to the school children of Texas. The subject matter of this claim seemingly calls for an investigation by the General Land Office and by the Attorney General to determine the State's rights in the whole Island; and certainly to that part of it not covered by the grant in 1852.

4.

While no duty is imposed on the State Parks Board to acquire this land, if the bill is signed the Board will be subjected to constant pressure to carry it out. It would only be a matter of time until the land would be acquired; and in acquiring it, the Parks Board would ultimately have to come to the valuation placed on it by the private owners irrespective of whether the surface rights are actually worth the sum demanded. Conceivably, the State might operate it as a park and, through its concessions for a period of years, make substantial payments. Business might fall off later on, and under foreclosure the State would lose all of its rights,

including any developments added and any moneys expended. I think the bill is entirely too loosely drawn to safeguard the rights of the State even if we made this venture.

In addition, this bill is but the opening wedge for the purchase of the remaining land on the Island.

5.

While there is no absolute obligation imposed upon the Highway Commission to build bridges and causeways, it will be subjected to constant pressure to do so. State Highway Engineer Gibb Gilchrist states that it would be quite expensive to build these causeways; that such causeways would be subjected to constant danger of destruction after each coastal storm. Most of the Island, I understand, is a sandbar over which cars can be driven, but the Highway Commission would have the duty of maintaining this sandbar and keeping it free and clear of rubbish and driftwood after each storm.

Already the cost of maintaining our highways in the State runs between nine and ten million dollars each year. I don't think the State should assume this additional burden in view of the fact that only 2c of our present gasoline tax now goes into both the construction and maintenance of our highways.

For the reasons stated, the bill is respectfully vetoed and disapproved, and returned to the House of Representatives in which it originated.

Respectfully,

JAMES V. ALLRED,
Governor of Texas.

Austin, Texas, May 18, 1937.

To the Members of the Forty-fifth Legislature:

I have today disapproved and vetoed House Bill 1025 for the following reasons:

This bill makes an appropriation of \$2,000.00 for the relief of the Center-ville Consolidated School District No. 42 of Trinity County to aid said School District in constructing, repairing, rehabilitating, and equipping its school building which was destroyed by fire on the 15th day of October, 1936.

This bill is one similar to House Bill 277 and House Bill 875 vetoed by me on yesterday. I am today vetoing this bill for the same reasons set out in my veto messages of May 17th in view of the State's depleted financial

condition and the fact that no taxes have been provided, and we cannot afford to underwrite the losses of school districts.

For the reasons stated, the bill is respectfully disapproved and vetoed, and returned to the House of Representatives in which it originated.

Respectfully,

JAMES V. ALLRED,
Governor of Texas.

CONFERENCE COMMITTEE AP- POINTED ON HOUSE BILL NO. 1175

The Speaker announced the appointment of the following Conference Committee, on the part of the House, on House Bill No. 1175:

Messrs. Hartzog, Shell, Smith of Matagorda, Monkhouse and Bell.

HOUSE BILLS ON FIRST READING

Mr. Sharpe moved to introduce, at this time, and have placed on first reading, House Bill No. 1187.

The motion prevailed by the following vote:

Yeas—119

Adkins	Felty
Alexander	Fielden
Alsup	Fox
Amos	Gibson
Baker	Graves
Bates	Hamilton
Beckworth	Hanna
Bell	Harbin
Blankenship	Hardin
Boethel	Harper
Bond	Harrell
Boyer	Harris of Archer
Bradbury	Harris of Dallas
Broadfoot	Harris of Dickens
Brown	Heflin
Burton	Herzik
Cagle	Holland
Callan	Hoskins
Carssow	Huddleston
Cathey	Hyder
Cauthorn	James
Celaya	Johnson of Ellis
Cleveland	Johnson
Colquitt	of Tarrant
Davis of Jasper	Jones of Angelina
Davisson	Jones of Falls
of Eastland	Jones of Wise
Deglandon	Keefe
Derden	Keith
Dickison	Kelt
Dollins	Kern
England	King
Farmer	Knetsch

Langdon	Powell
Lankford	Prescott
Lanning	Quinn
Leath	Ragsdale
Leonard	Reader
Leyendecker	Reed of Dallas
Little	Rhodes
Loggins	Roark
London	Ross
Lucas	Rutta
Mauritz	Settle
Mays	Sewell
McConnell	Sharpe
McCracken	Simpson
McDonald	Skaggs
McKinney	Smith
Metcalfe	of Matagorda
Moffett	Stocks
Monkhouse	Talbert
Morris	Tarwater
Morse	Tennyson
Newton	Thornton
Nicholson	Vale
Oliver	Walker
Palmer	Weldon
Patterson of Mills	Westbrook
Patterson	Wood
of Travis	Worley
Pope	

Nays—1

Smith of Hopkins

Absent

Bridgers	McFarland
Davison of Fisher	McKee
Dean	Petsch
Fuchs	Reed of Bowie
Hankamer	Riddle
Hartzog	Shell
Howard	Smith of Tarrant
Hull	Stevenson
Jackson	Stinson
Jones of Atascosa	Thornberry
Kenyon	Waggoner
Mann	Winfree

Absent—Excused

Bradford	Schuenemann
Davis of Haskell	Tennant
Russell	

The Chair then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Sharpe:

H. B. No. 1187, A bill to be entitled "An Act providing for the amount that may be allowed by County Boards of Trustees to the County Superintendents of Public Instruction for expenditures for office and traveling expenses in certain counties ac-

cording to the last preceding Federal Census; repealing all laws and parts of laws, General or Special, in conflict herewith, and declaring an emergency."

Referred to the Committee on Education.

Mr. Beckworth moved to introduce, at this time, and have placed on first reading, House Bill No. 1188.

The motion prevailed by the following vote:

Yeas—113

Adkins	Johnson of Ellis
Alexander	Johnson
Alsup	of Tarrant
Baker	Jones of Angelina
Beckworth	Jones of Falls
Bell	Jones of Wise
Blankenship	Keefe
Boethel	Kern
Bond	King
Boyer	Knetsch
Bradbury	Langdon
Broadfoot	Lankford
Brown	Lanning
Burton	Leath
Cagle	Leonard
Callan	Leyendecker
Carssow	Little
Cauthorn	Loggins
Celaya	London
Cleveland	Lucas
Colquitt	Mauritz
Davisson	McConnell
of Eastland	McCracken
Deglandon	McDonald
Derden	Moffett
Dickison	Morris
Dollins	Morse
England	Newton
Farmer	Nicholson
Felty	Oliver
Fielden	Palmer
Fox	Patterson of Mills
Gibson	Patterson
Graves	of Travis
Hamilton	Pope
Hanna	Powell
Hardin	Prescott
Harper	Quinn
Harrell	Ragsdale
Harris of Archer	Reed of Dallas
Harris of Dallas	Rhodes
Harris of Dickens	Riddle
Hartzog	Roark
Heflin	Ross
Herzik	Rutta
Holland	Settle
Hoskins	Sewell
Huddleston	Sharpe
Hyder	Simpson
James	Skaggs

Smith of Hopkins
Smith
of Matagorda
Stinson
Stocks
Talbert
Tarwater
Tennyson
Thornberry

Thornton
Vale
Waggoner
Walker
Weldon
Westbrook
Wood
Worley

Absent

Amos
Bates
Bridgers
Cathey
Davis of Jasper
Davison of Fisher
Dean
Fuchs
Hankamer
Harbin
Howard
Hull
Jackson
Jones of Atascosa
Keith
Kelt

Kenyon
Mann
Mays
McFarland
McKee
McKinney
Metcalf
Monkhouse
Petsch
Reader
Reed of Bowie
Shell
Smith of Tarrant
Stevenson
Winfree

Absent—Excused

Bradford
Davis of Haskell
Russell

Schuenemann
Tennant

The Chair then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Beckworth:

H. B. No. 1188, A bill to be entitled "An Act repealing House Bill No. 525, Acts of the Forty-fifth Legislature, Regular Session, amending Article 3221, Revised Civil Statutes of Texas, 1925, as amended, by authorizing State Board of Control to accept and care for orphan negro children in the Home located at Austin, Texas; authorizing said Board to move any and all orphan children from the Dickson Colored Orphanage located near Gilmer, Texas, to Austin; providing that as soon as such children are removed, the Board shall sell the Dickson Colored Orphanage property; providing for the disposition of funds realized from the sale of such property, and declaring an emergency."

Referred to the Committee on Eleemosynary and Reformatory Institutions.

HOUSE BILL NO. 1073 WITH SENATE AMENDMENTS

Mr. Harrell moved to reconsider the vote by which the House, on yester-

day, refused to concur in Senate amendments to House Bill No. 1073, and requested the appointment of a conference committee.

The motion to reconsider prevailed.

On motion of Mr. Harrell, the House concurred in the Senate amendments by the following vote:

Yeas—118

Adkins	Jones of Angelina
Alexander	Jones of Falls
Alsup	Jones of Wise
Amos	Keefe
Baker	Kern
Beckworth	King
Blankenship	Knetsch
Boethel	Langdon
Bond	Lankford
Boyer	Lanning
Bradbury	Leath
Broadfoot	Leonard
Brown	Leyendecker
Burton	Little
Cagle	Loggins
Callan	London
Cauthorn	Lucas
Celaya	Mauritz
Cleveland	Mays
Colquitt	McConnell
Davis of Jasper	McCracken
Davisson	McDonald
of Eastland	McKee
Deglandon	Metcalf
Derden	Moffett
Dickison	Monkhouse
Dollins	Morris
England	Morse
Farmer	Newton
Fielden	Nicholson
Fox	Oliver
Gibson	Palmer
Graves	Patterson of Mills
Hamilton	Patterson
Hankamer	of Travis
Hanna	Pope
Harbin	Powell
Hardin	Prescott
Harper	Quinn
Harrell	Ragsdale
Harris of Archer	Reed of Bowie
Harris of Dallas	Reed of Dallas
Harris of Dickens	Rhodes
Hartzog	Riddle
Herzik	Roark
Holland	Rutta
Hoskins	Settle
Huddleston	Sewell
Hull	Sharpe
Hyder	Simpson
James	Skaggs
Johnson of Ellis	Smith of Hopkins
Johnson	Smith
of Tarrant	of Matagorda

Stevenson	Thornton
Stinson	Vale
Stocks	Waggoner
Talbert	Walker
Tarwater	Weldon
Tennyson	Westbrook
Thornberry	Wood

Absent

Bates	Keith
Bell	Kelt
Bridgers	Kenyon
Carssow	Mann
Cathey	McFarland
Davison of Fisher	McKinney
Dean	Petsch
Felty	Reader
Fuchs	Ross
Heflin	Shell
Howard	Smith of Tarrant
Jackson	Winfree
Jones of Atascosa	Worley

Absent—Excused

Bradford	Schuenemann
Davis of Haskell	Tennant
Russell	

CONCERNING EXPENSE ACCOUNT OF MEMBERS

Mr. Morse offered the following resolution:

Whereas, The expenses of the Members of the Legislature are greatly increased due to the fact that the various State problems are conflicting today. The Rural Aid Bill, the Teacher Retirement Bill, the Old Age Pension question, the Liquor question, the question of Taxation, and the question of Unemployment have aroused the interest of the people back home, and in order that the Representatives may keep in close touch with their constituents, it has been necessary for those who live in far away Districts and in the thickly populated Districts to have greater expenses than the Members who are close by; therefore, be it

Resolved by the House of Representatives, That when these Members have reached the extent of their account the Contingent Expense Committee be given the power to extend to these Members an extension of their account when they deem it is

necessary to carry on the State's business.

MORSE,
CELAYA,
JOHNSON of Tarrant,
HARRIS of Dallas,
LEONARD,
HUDDLESTON,
DOLLINS,
MANN,
DAVISSON of Eastland,
MONKHOUSE,
JACKSON,
JONES of Angelina,
LONDON,
SCHUENEMANN,
SHELL,
AMOS,
KNETSCH,
BOYER,
HEFLIN,
LOGGINS,
WINFREE,
LEYENDECKER,
LITTLE,
DEAN,
HULL,
JAMES,
LEATH,
HARTZOG,
PRESCOTT,
FELTY,
HOSKINS,
HARPER,
CALLAN,
REED of Dallas,
HARBIN,
ENGLAND,
JONES of Falls,
STINSON,
TALBERT,
READER.

The resolution was read second time.

Mr. Johnson of Ellis raised a point of order, on consideration of the resolution, at this time, on the ground that the time allotted for the consideration of resolutions has expired.

The Chair sustained the point of order.

Mr. Morse moved to suspend the Rule, relative to the consideration of resolutions, for the purpose of considering the above resolution.

The motion prevailed.

Question recurring on the resolution, it was adopted.

Mr. Leonard moved to reconsider the vote by which the resolution was

adopted, and to table the motion to reconsider.

The motion to table prevailed.

RECESS

Mr. Johnson of Ellis moved that the House recess until 7:30 o'clock p. m., today.

Mr. Bell moved that the House recess until 7:45 o'clock p. m., today.

Question first recurring on the motion to recess until 7:30 o'clock p. m., today, it was lost.

Question next recurring on the motion to recess until 7:45 o'clock p. m., today, it prevailed, and the House, accordingly, at 5:15 o'clock p. m., took recess until 7:45 o'clock p. m., today.

NIGHT SESSION

The House met at 7:45 o'clock p. m., and was called to order by the Speaker.

LEAVES OF ABSENCE GRANTED

(By unanimous consent)

Mr. McDonald was granted leave of absence for this evening, on account of important business, on motion of Mr. Blankenship.

Mr. Reader was granted leave of absence for this evening, on account of illness, on motion of Mr. Amos.

Mr. Monkhouse was granted leave of absence for this evening, on account of important business, on motion of Mr. Roark.

Mr. Rutta was granted leave of absence for this evening, on account of important business, on motion of Mr. Hamilton.

MESSAGE FROM THE SENATE

Austin, Texas, May 18, 1937.
Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the conference committee report on Senate Bill No. 74, by the following vote: Yeas, 21; Nays, 6.

H. C. R. No. 90, Granting R. L. Gillespie permission to sue the State.

H. C. R. No. 89, Granting Mrs. Mary Esther Ramsey permission to sue the State.

Passed

H. B. No. 207, A bill to be entitled "An Act amending Section 6, Chapter 106, Acts of the Fortieth Legislature, First Called Session, and declaring an emergency." (With amendments.)

H. B. No. 348, A bill to be entitled "An Act amending Section 5, of Chapter 130, Acts of the Regular Session of the Forty-third Legislature, as amended by the Acts of 1934, Fourth Called Session of the Forty-third Legislature, so as to extend the time within which the contracts, bonds, notes or other evidence of indebtedness authorized by said Chapter 130, as amended, shall not be issued or executed after the Thirty-first day of December, 1937, and declaring an emergency."

H. B. No. 538, A bill to be entitled "An Act to authorize the sale of additional portions of Harbor Island and other islands in Redfish Bay, Corpus Christi Bay and Aransas Bay and certain lands under the shallow waters of Redfish Bay, Corpus Christi Bay and Aransas Bay with certain restrictions; to authorize the extension by the present owners or their successors and assigns of the original purchase from the State of Texas of such lands under the terms of an act known as the Act of March 13th, 1911, and being Chapter 45 of the Acts of the Thirty-second Legislature of Texas; reserving the oil, gas and other minerals in and under said lands so additionally purchased together with the right of ingress and egress for the purpose of mining and producing the same; providing that the sale and ownership of such land so additionally purchased shall be subject to all existing laws of the State of Texas, and declaring an emergency."

H. B. No. 557, A bill to be entitled "An Act providing for the licensing of all persons before engaging in the business of handling perishable agricultural commodities as defined in this Act, whether as a commission merchant, dealer, broker or as agent of any commission merchant, dealer, or broker; defining certain terms as used herein; providing manner of settlement by licensees with producer, seller or owner; providing that all contracts

between dealers and owners, sellers or producers, shall be in writing and providing time and manner of settlement, making it unlawful for any person to engage in business as a commission merchant, dealer, broker or as an agent of any commission merchant, dealer or broker without first complying with the terms and provisions of this Act; . . . etc., and declaring an emergency." (With amendments.)

H. B. No. 781, A bill to be entitled "An Act amending Section One of Chapter 127, page 215, Acts, Regular Session, Forty-second Legislature, and declaring an emergency."

The Senate has refused to concur in House amendments to Senate Bill No. 139, and requests the appointment of a conference committee to adjust the differences between the two Houses.

The following have been appointed on the part of the Senate:

Senators Redditt, Nelson, Neal, Burns and Stone.

Respectfully,

BOB BARKER,
Secretary of the Senate.

SENATE BILL NO. 185 ON PASSAGE TO THIRD READING

The House resumed consideration of pending business, same being Senate Bill No. 185, relative to certain Rural Aid appropriations, with committee amendment No. 1, and amendment by Mr. Patterson of Mills to the committee amendment, pending.

The bill having heretofore been read second time.

Mr. Patterson of Mills withdrew the pending amendment.

Mr. Patterson of Mills offered the following amendment to the committee amendment:

Amend committee amendment No. 1 to Senate Bill No. 185, pages 1 and 2, by striking out all of Section 1 down through the first period on line 3, page 2, and insert in lieu thereof the following:

"Section 1. (Appropriation). For the purposes of promoting public school interest and equalizing the educational opportunities afforded by the State to all children of free school age within the State including suffi-

cient funds to match Federal Funds appropriated for the purpose of conducting classes in vocational agriculture, home-making, trades and industrial training, general rehabilitation, and rehabilitation for crippled children, there is hereby appropriated out of the General Revenue Fund, Seven Million, Five Hundred Thousand (\$7,500,000.00) Dollars, or so much thereof as may be necessary, for the school year ending August 31, 1938, and \$7,500,000.00, or so much thereof as may be necessary, for the school year ending August 31, 1939."

PATTERSON of Mills,
JONES of Wise,
BRADBURY,
WORLEY,
LUCAS.

Mr. Thornton moved to table the amendment by Mr. Patterson of Mills.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—46

Alexander	Knetsch
Alsup	Leonard
Blankenship	McKinney
Bond	Metcalfe
Bridgers	Morris
Burton	Morse
Colquitt	Nicholson
Deglandon	Patterson
Dollins	of Travis
England	Petsch
Felty	Quinn
Fox	Reed of Dallas
Gibson	Riddle
Graves	Settle
Hanna	Smith
Harris of Archer	of Matagorda
Harris of Dallas	Stevenson
Hartzog	Stinson
Heflin	Talbert
Hoskins	Tarwater
Johnson	Thornton
or Tarrant	Waggoner
Jones of Falls	Walker
Keith	Wood
Kenyon	

Nays—77

Adkins	Broadfoot
Amos	Brown
Baker	Cagle
Bates	Callan
Beckworth	Carssow
Bell	Cathey
Boyer	Cauthorn
Bradbury	Cleveland

Davis of Jasper	Leath
Davison of Fisher	Little
Davisson	Loggins
of Eastland	London
Derden	Lucas
Dickison	Mauritz
Farmer	McConnell
Fielden	McKee
Fuchs	Moffett
Hamilton	Newton
Hankamer	Oliver
Harbin	Palmer
Hardin	Patterson of Mills
Harper	Pope
Harrell	Prescott
Harris of Dickens	Ragsdale
Herzik	Reed of Bowie
Holland	Rhodes
Howard	Roark
Huddleston	Ross
Hyder	Simpson
James	Skaggs
Jones of Angelina	Smith of Hopkins
Jones of Wise	Smith of Tarrant
Keefe	Tennyson
Kelt	Thornberry
Kern	Vale
King	Weldon
Langdon	Westbrook
Lankford	Winfree
Lanning	Worley

Absent

Boethel	Mays
Celaya	McCracken
Dean	McFarland
Hull	Powell
Jackson	Sewell
Johnson of Ellis	Sharpe
Jones of Atascosa	Shell
Leyendecker	Stocks
Mann	Tennant

Absent—Excused

Bradford	Reader
Davis of Haskell	Russell
McDonald	Rutta
Monkhouse	Schuenemann

(Mr. Wood in the Chair.)

Mr. Metcalfe offered the following amendment to the amendment by Mr. Patterson of Mills:

Amend Patterson-Jones amendment to committee amendment to Senate Bill No. 185, by striking out the figures and words "\$7,500,000.00" each year, and insert in lieu thereof the words and figures "\$6,000,000.00" each year.

Mr. Patterson of Mills moved to table the amendment by Mr. Metcalfe.

Question recurring on the motion to table, yeas and nays were demanded.

The roll of the House was called, and the vote announced as follows: Yeas, 58; Nays, 60.

A verification of the vote was requested.

Mr. Morris moved a call of the House, for the purpose of maintaining a quorum, pending consideration of the verification of the vote, and the call was duly ordered.

(Speaker in the Chair.)

The roll of the "yeas" and "nays" was again called, and the verified vote resulted as follows:

Yeas—61

Adkins	Jones of Angelina
Amos	Jones of Wise
Baker	Keefe
Bates	Kern
Beckworth	King
Bradbury	Langdon
Broadfoot	Lankford
Brown	Lanning
Callan	Leath
Cathey	Loggins
Cleveland	London
Davis of Jasper	Lucas
Davison of Fisher	Mauritz
Davisson	Newton
of Eastland	Oliver
Deglandon	Palmer
Derden	Patterson of Mills
Dickison	Pope
Farmer	Prescott
Fielden	Ragsdale
Hamilton	Reed of Bowie
Harbin	Rhodes
Hardin	Roark
Harper	Skaggs
Harrell	Smith of Hopkins
Harris of Dickens	Smith of Tarrant
Herzik	Vale
Holland	Weldon
Huddleston	Westbrook
Hyder	Winfree
James	Worley

Nays—64

Alsup	Celaya
Bell	Colquitt
Blankenship	Dollins
Bond	England
Boyer	Felty
Bridgers	Fox
Burton	Fuchs
Carssow	Gibson
Cauthorn	Graves

Hankamer	Patterson
Hanna	of Travis
Harris of Archer	Petsch
Harris of Dallas	Powell
Hartzog	Quinn
Heflin	Reed of Dallas
Hoskins	Riddle
Howard	Ross
Johnson	Settle
of Tarrant	Shell
Jones of Atascosa	Simpson
Keith	Smith
Kelt	of Matagorda
Kenyon	Stevenson
Knetsch	Stinson
Leonard	Talbert
Little	Tarwater
McConnell	Tennant
McKee	Tennyson
McKinney	Thornberry
Metcalfe	Thornton
Moffett	Waggoner
Morris	Walker
Morse	Wood
Nicholson	

Absent

Alexander	Mann
Boethel	Mays
Cagle	McCracken
Dean	McFarland
Hull	Monkhouse
Jackson	Sewell
Johnson of Ellis	Sharpe
Jones of Falls	Stocks
Leyendecker	

Absent—Excused

Bradford	Russell
Davis of Haskell	Rutta
McDonald	Schuenemann
Reader	

The Speaker announced that the motion to table was lost.

Mr. Celaya moved that further consideration of Senate Bill No. 185 be postponed until 10:00 o'clock a. m., tomorrow.

The motion prevailed.

Mr. Celaya moved a call of the House for the purpose of maintaining a quorum until 11:00 o'clock p. m., today, and the call was duly ordered.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Bates
Adkins	Beckworth
Alsup	Bell
Amos	Bond
Baker	Boyer

Bradbury	Lankford
Bridgers	Lanning
Broadfoot	Leath
Brown	Leonard
Burton	Loggins
Cagle	London
Callan	Lucas
Carssow	Mauritz
Cauthorn	McConnell
Celaya	McKee
Cleveland	McKinney
Colquitt	Metcalfe
Davis of Jasper	Moffett
Davison of Fisher	Morris
Davisson	Morse
of Eastland	Newton
Derden	Nicholson
Deglandon	Oliver
Dickison	Palmer
Dollins	Patterson of Mills
England	Pope
Farmer	Powell
Felty	Quinn
Fox	Ragsdale
Fuchs	Reed of Bowie
Gibson	Reed of Dallas
Harrell	Riddle
Hamilton	Roark
Hankamer	Ross
Hanna	Settle
Harper	Shell
Harris of Archer	Simpson
Harris of Dallas	Skaggs
Hartzog	Smith of Hopkins
Holland	Smith
Hoskins	of Matagorda
Howard	Stevenson
Hyder	Stinson
James	Talbert
Johnson of Ellis	Tarwater
Johnson	Tennant
of Tarrant	Tennyson
Jones of Angelina	Thornberry
Jones of Atascosa	Thornton
Jones of Wise	Vale
Keefe	Waggoner
Keith	Walker
Kelt	Weldon
Kenyon	Westbrook
Kern	Winfree
King	Wood
Knetsch	Worley
Langdon	

Absent

Alexander	Harris of Dickens
Blankenship	Heflin
Boethel	Herzik
Cathey	Huddleston
Dean	Hull
Fielden	Jackson
Graves	Jones of Falls
Harbin	Leyendecker
Hardin	Little

Mann	Petsch
Mays	Prescott
McCracken	Rhodes
McFarland	Sewell
Monkhouse	Sharpe
Patterson	Smith of Tarrant
of Travis	Stocks

Absent—Excused

Bradford	Russell
Davis of Haskell	Rutta
McDonald	Schuenemann
Reader	

The Speaker announced that there was a quorum present.

BILLS AND RESOLUTION SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills and resolution:

H. B. No. 376, "An Act amending Rule 47a of Article 4477, of Title 71, of the Revised Civil Statutes of the State of Texas, 1925, by repealing sub-paragraph six and twenty-five thereof, and declaring an emergency."

H. B. No. 113, "An Act to provide for a local option election in counties having 10,000 or more cattle, sheep and goats rendered for taxation to determine whether or not the qualified voters of such county desires to authorize the levy, assessment and collection of an annual tax on cattle, sheep and goats; providing for the method of levying, assessing and collecting such annual tax; and further providing for the deposit of the monies collected from such annual tax in a special fund to be known as 'The Domestic Livestock Protective Fund'; providing authority and requiring the Commissioner's Court of such county adopting the provisions of this Act to employ additional law enforcement officers, and fixing the compensation of such officers and the reports to be filed by them, and declaring an emergency."

H. C. R. No. 140, Authorizing the Enrolling Clerk of the House to make certain correction in House Bill No. 113.

BILLS ORDERED NOT PRINTED

(By unanimous consent)

On motion of Mr. Pope, Senate Bill No. 216 was ordered not printed.

On motion of Mr. Shell, Senate Bill No. 450 was ordered not printed.

On motion of Mr. Beckworth, House Bill No. 1188 was ordered not printed.

HOUSE BILL NO. 351 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage, H. B. No. 351, A bill to be entitled "An Act empowering the Courts of the State of Texas having original jurisdiction of criminal actions to suspend the imposition or execution of sentence and to place defendants on probation under certain conditions; specifying conditions of probation which, among others, may be imposed; providing for investigation, by probation officers, of the defendants seeking to come within the provisions of this Act, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—111

Alsup	Harbin
Amos	Harper
Baker	Harris of Archer
Bates	Harris of Dallas
Beckworth	Hartzog
Bell	Herzik
Bond	Hoskins
Boyer	Howard
Bradbury	Huddleston
Bridgers	Hyder
Broadfoot	James
Brown	Johnson of Ellis
Burton	Johnson
Cagle	of Tarrant
Callan	Jones of Angelina
Carssow	Jones of Atascosa
Cathey	Jones of Wise
Cauthorn	Keefe
Celaya	Keith
Cleveland	Kelt
Colquitt	Kern
Davis of Jasper	King
Davison of Fisher	Knetsch
Davisson	Langdon
of Eastland	Lankford
Derden	Lanning
Deglandon	Leath
Dollins	Leonard
Farmer	Loggins
Felty	London
Fox	Lucas
Fuchs	Mauritz
Gibson	McConnell
Hamilton	McKee
Hankamer	McKinney
Hanna	Metcalfe

Moffett	Shell
Morris	Simpson
Morse	Skaggs
Newton	Smith of Hopkins
Nicholson	Smith
Oliver	of Matagorda
Palmer	Smith of Tarrant
Patterson of Mills	Stinson
Patterson	Talbert
of Travis	Tarwater
Petsch	Tennant
Prescott	Tennyson
Pope	Thornberry
Quinn	Thornton
Ragsdale	Vale
Reed of Bowie	Walker
Reed of Dallas	Weldon
Rhodes	Westbrook
Riddle	Winfree
Roark	Wood
Ross	Worley
Settle	

Nays—2

Holland Kenyon

Present—Not Voting

Harrell Powell

Absent

Adkins	Jones of Falls
Alexander	Leyendecker
Blankenship	Little
Boethel	Mann
Dean	Mays
Dickison	McCracken
England	McFarland
Fielden	Monkhouse
Graves	Sewell
Hardin	Sharpe
Harris of Dickens	Stevenson
Heflin	Stocks
Hull	Waggoner
Jackson	

Absent—Excused

Bradford	Russell
Davis of Haskell	Rutta
McDonald	Schuenemann
Reader	

SENATE BILL NO. 487 ON THIRD
READING

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 487, A bill to be entitled "An Act amending Section Two (2) of House Bill No. Two Hundred Fifty-eight (258), passed by the present, the Forty-fifth (45th) Legislature of the State of Texas, which Act relates to the creation of a Firemen's Relief and Retirement Fund

in the State of Texas, and which amendment exempts the premiums and assessments collected by county mutual insurance companies from the tax provided in the bill, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—112

Adkins	Jones of Wise
Alsup	Keefe
Baker	Kelt
Bates	Kenyon
Beckworth	Kern
Bell	King
Boyer	Knetsch
Bradbury	Langdon
Bridgers	Lankford
Broadfoot	Lanning
Brown	Leath
Burton	Leonard
Cagle	Loggins
Callan	London
Carssow	Lucas
Cathey	Mauritz
Cauthorn	McConnell
Celaya	McKee
Cleveland	McKinney
Colquitt	Metcalfe
Davis of Jasper	Moffett
Davisson	Morris
of Eastland	Morse
Deglandon	Newton
Derden	Nicholson
Dickison	Oliver
Dollins	Palmer
England	Patterson of Mills
Farmer	Patterson
Felty	of Travis
Fox	Petsch
Fuchs	Pope
Gibson	Powell
Hamilton	Prescott
Hankamer	Quinn
Hanna	Ragsdale
Harper	Reed of Bowie
Harrell	Reed of Dallas
Harris of Archer	Rhodes
Harris of Dallas	Riddle
Hartzog	Roark
Herzik	Settle
Holland	Shell
Hoskins	Simpson
Howard	Skaggs
Huddleston	Smith of Hopkins
Hyder	Smith
James	of Matagorda
Johnson of Ellis	Smith of Tarrant
Johnson	Stevenson
of Tarrant	Stinson
Jones of Angelina	Talbert
Jones of Atascosa	Tarwater
Jones of Falls	Tennant

Tennyson Weldon
Thornberry Westbrook
Thornton Winfree
Vale Wood
Walker

Nays—1

Ross

Present—Not Voting

Bond Worley
Davison of Fisher

Absent

Alexander Keith
Amos Leyendecker
Blankenship Little
Boethel Mann
Dean Mays
Fielden McCracken
Graves McFarland
Harbin Monkhouse
Hardin Sewell
Harris of Dickens Sharpe
Heflin Stocks
Hull Waggoner
Jackson

Absent—Excused

Eradford Russell
Davis of Haskell Rutta
McDonald Schuenemann
Reader

SENATE BILL NO. 495 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 495, A bill to be entitled "An Act authorizing the appointment of County Highway Patrolmen by the commissioners' courts of counties containing not less than eleven thousand nine hundred eighty (11,980) inhabitants, and not more than twelve thousand one hundred (12,100) inhabitants, according to the last preceding Federal Census, and declaring an emergency."

The bill was read third time.

Mr. Knetsch offered the following amendment to the bill:

Amend Senate Bill No. 495, by striking out the words "State and Federal designated Highways" wherever same appears.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Senate Bill No. 495 was then passed by the following vote:

Yeas—111

Adkins	Kern
Alsup	King
Amos	Knetsch
Baker	Langdon
Bates	Lankford
Bell	Lanning
Bond	Leath
Boyer	Leonard
Bradbury	Loggins
Bridgers	London
Broadfoot	Lucas
Brown	Mauritz
Burton	McConnell
Cagle	McKee
Callan	McKinney
Carssow	Metcalf
Cathey	Moffett
Cauthorn	Morris
Celaya	Morse
Cleveland	Newton
Colquitt	Nicholson
Davis of Jasper	Oliver
Davison of Fisher	Patterson of Mills
Davison	Patterson
of Eastland	of Travis
Deglandon	Petsch
Derden	Pope
Dickison	Powell
Dollins	Quinn
England	Ragsdale
Farmer	Reed of Bowie
Felty	Reed of Dallas
Fox	Rhodes
Fuchs	Riddle
Gibson	Roark
Hamilton	Ross
Hankamer	Settle
Hanna	Shell
Harbin	Simpson
Harper	Skaggs
Harrell	Smith of Hopkins
Harris of Archer	Smith
Harris of Dallas	of Matagorda
Hartzog	Stevenson
Herzik	Stinson
Holland	Talbert
Howard	Tarwater
Huddleston	Tennant
Hyder	Thornberry
James	Thornton
Johnson of Ellis	Vale
Johnson	Walker
of Tarrant	Weldon
Jones of Angelina	Westbrook
Jones of Atascosa	Winfree
Jones of Wise	Wood
Keefe	Worley
Kelt	

Absent

Alexander Beckworth

Blankenship	Little
Boethel	Mann
Dean	Mays
Fielden	McCracken
Graves	McFarland
Hardin	Monkhouse
Harris of Dickens	Palmer
Heflin	Prescott
Hoskins	Sewell
Hull	Sharpe
Jackson	Smith of Tarrant
Jones of Falls	Stocks
Keith	Tennyson
Kenyon	Waggoner
Leyendecker	

Absent—Excused

Bradford	Russell
Davis of Haskell	Rutta
McDonald	Schuenemann
Reader	

HOUSE BILL NO. 924 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 924, A bill to be entitled "An Act providing for confinement in the penitentiary for a period of one to five years of any person who steals an automobile or motor vehicle regardless of its value, and declaring an emergency."

The bill was read third time, and was passed.

HOUSE BILL NO. 989 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 989, A bill to be entitled "An Act granting to private corporations chartered in Texas the right to extend their charter by amendment."

The bill was read third time, and was passed.

HOUSE BILL NO. 1166 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 1166, A bill to be entitled "An Act amending Section 8 of House Bill No. 974, Acts of the Regular Session of the Forty-fifth Legislature, changing the terms of court of Sterling County, and declaring an emergency."

The bill was read third time, and was passed by the following vote:

Yeas—115

Adkins	Kenyon
Alsup	Kern
Amos	King
Baker	Knetsch
Bates	Lankford
Bell	Lanning
Bond	Leonard
Boyer	Loggins
Bradbury	London
Bridgers	Lucas
Broadfoot	Mauritz
Brown	McConnell
Burton	McKee
Cagle	McKinney
Callan	Metcalfe
Carssow	Moffett
Cathey	Morris
Cauthorn	Morse
Celaya	Newton
Cleveland	Nicholson
Colquitt	Oliver
Davis of Jasper	Palmer
Davison of Fisher	Patterson of Mills
Davisson	Patterson
of Eastland	of Travis
Deglandon	Pope
Derden	Powell
Dickison	Prescott
Dollins	Quinn
England	Ragsdale
Farmer	Reed of Bowie
Felty	Reed of Dallas
Fox	Rhodes
Fuchs	Riddle
Gibson	Roark
Hamilton	Ross
Hankamer	Settle
Hanna	Shell
Harbin	Simpson
Hardin	Skaggs
Harper	Smith of Hopkins
Harrell	Smith
Harris of Archer	of Matagorda
Harris of Dallas	Smith of Tarrant
Hartzog	Stevenson
Herzik	Stinson
Holland	Talbert
Hoskins	Tarwater
Howard	Tennant
Hyder	Tennyson
James	Thornberry
Johnson of Ellis	Thornton
Johnson	Vale
of Tarrant	Walker
Jones of Angelina	Weldon
Jones of Atascosa	Westbrook
Jones of Falls	Winfree
Jones of Wise	Wood
Keefe	Worley
Kelt	

Absent

Alexander	Blankenship
Beckworth	Boethel

Dean	Little
Fielden	Mann
Graves	Mays
Harris of Dickens	McCracken
Heflin	McFarland
Huddleston	Monkhouse
Hull	Petsch
Jackson	Sewell
Keith	Sharpe
Langdon	Stocks
Leath	Waggoner
Leyendecker	

Absent—Excused

Bradford	Russell
Davis of Haskell	Rutta
McDonald	Schuenemann
Reader	

HOUSE BILL NO. 1149 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 1149, A bill to be entitled "An Act providing the open season for taking mourning doves in Grimes, Madison and Leon Counties; providing a bag and possession limit for such birds; providing a penalty; repealing all laws in so far as they conflict with this Act, and declaring an emergency."

The bill was read third time, and was passed.

HOUSE BILL NO. 746 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage.

H. B. No. 746, A bill to be entitled "An Act to prohibit fraternities, sororities, and secret societies in the public schools of the State, to provide for the enforcement of same, and declaring an emergency."

The bill was read third time.

Mr. Stinson offered the following amendment to the bill:

Amend House Bill No. 746, by inserting before the first sentence of Section 1, the following: "In all Counties of this State having a population of not less than 320,000 inhabitants and not more than 350,000 inhabitants, according to the last Federal Census."

STINSON,
HARRIS of Dallas,
REED of Dallas,
HANNA,
COLQUITT,
BLANKENSHIP.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 746 was then passed by the following vote:

Yeas—112

Adkins	Jones of Wise
Alsup	Keefe
Amos	Kelt
Baker	Kern
Bates	King
Beckworth	Knetsch
Bell	Langdon
Boethel	Lankford
Bond	Lanning
Boyer	Leath
Bradbury	Leonard
Bridgers	Loggins
Brown	London
Burton	Lucas
Cagle	Mauritz
Callan	McConnell
Carssow	McKee
Cathey	McKinney
Celaya	Metcalfe
Cleveland	Moffett
Colquitt	Morris
Davis of Jasper	Morse
Davison of Fisher	Newton
Davison	Nicholson
of Eastland	Oliver
Deglandon	Palmer
Derden	Patterson of Mills
Dickison	Patterson
Dollins	of Travis
England	Pope
Farmer	Prescott
Felty	Quinn
Fuchs	Ragsdale
Gibson	Reed of Bowie
Hamilton	Reed of Dallas
Hankamer	Rhodes
Hanna	Riddle
Harbin	Roark
Harper	Ross
Harrell	Settle
Harris of Archer	Shell
Harris of Dallas	Simpson
Hartzog	Skaggs
Herzik	Smith of Hopkins
Holland	Smith
Hoskins	of Matagorda
Huddleston	Smith of Tarrant
Hyder	Stinson
James	Talbert
Johnson of Ellis	Tarwater
Johnson	Tennant
of Tarrant	Tennyson
Jones of Angelina	Thornberry
Jones of Atascosa	Thornton

Vale
Waggoner
Walker
Weldon

Westbrook
Winfree
Wood

Present—Not Voting

Cauthorn
Howard

Worley

Absent

Alexander	Leyendecker
Blankenship	Little
Broadfoot	Mann
Dean	Mays
Fielden	McCracken
Fox	McDonald
Graves	McFarland
Hardin	Monkhouse
Harris of Dickens	Petsch
Heflin	Powell
Hull	Sewell
Jackson	Sharpe
Jones of Falls	Stevenson
Keith	Stocks
Kenyon	

Absent—Excused

Bradford	Russell
Davis of Haskell	Rutta
Reader	Schuenemann

Mr. Celaya moved that the call of the House be extended until 11:30 o'clock p. m., today.

The motion prevailed by the following vote:

Yeas—65

Alsup	Johnson of Ellis
Amos	Johnson
Beckworth	of Tarrant
Blankenship	Jones of Wise
Boethel	Kelt
Bond	Kern
Bridgers	Knetsch
Brown	Langdon
Carssow	Lankford
Celaya	Leonard
Colquitt	Loggins
Davis of Jasper	London
Davison of Fisher	Lucas
Dickison	Mann
England	McConnell
Farmer	McDonald
Felty	McKinney
Gibson	Metcalfe
Hamilton	Morse
Harbin	Oliver
Harper	Patterson
Harris of Archer	of Travis
Hartzog	Petsch
Hoskins	Pope
Howard	Ragsdale
Hyder	Reed of Bowie
James	Rhodes

Roark
Settle
Shell
Smith of Hopkins
Smith
of Matagorda
Stinson

Talbert
Tennant
Thornberry
Thornton
Vale
Weldon
Wood

Nays—52

Adkins	Lanning
Baker	Leath
Bates	Mauritz
Bell	McKee
Boyer	Moffett
Bradbury	Morris
Burton	Newton
Cagle	Nicholson
Callan	Palmer
Cathey	Patterson of Mills
Cauthorn	Powell
Cleveland	Prescott
Davisson	Quinn
of Eastland	Reed of Dallas
Deglandon	Riddle
Derden	Ross
Fuchs	Simpson
Hanna	Skaggs
Harrell	Smith of Tarrant
Harris of Dallas	Stevenson
Herzik	Tennyson
Holland	Waggoner
Jones of Angelina	Walker
Jones of Atascosa	Westbrook
Keith	Winfree
Kenyon	Worley
King	

Present—Not Voting

Tarwater

Absent

Alexander	Jackson
Broadfoot	Jones of Falls
Dean	Keefe
Dollins	Leyendecker
Fielden	Little
Fox	Mays
Graves	McCracken
Hankamer	McFarland
Hardin	Monkhouse
Harris of Dickens	Sewell
Heflin	Sharpe
Huddleston	Stocks
Hull	

Absent—Excused

Bradford	Russell
Davis of Haskell	Rutta
Reader	Schuenemann

SENATE BILL NO. 195 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 195, A bill to be entitled "An Act providing that all bonds which have been heretofore issued and sold by all read districts in counties with a population of not less than 17,000 nor more than 21,000, etc., to participate in State Highway Funds, etc., and declaring an emergency."

The bill was read third time, and was passed.

GRANTING PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration, at this time,

H. C. R. No. 127, Granting R. F. Davis permission to sue State.

The resolution having heretofore been read second time and referred to the Committee on State Affairs.

The Committee on State Affairs having recommended the adoption of the resolution.

Question recurring on the resolution, it was adopted.

GRANTING PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration, at this time,

H. C. R. No. 128, Granting Fred Belasco permission to sue the State of Texas.

The resolution having heretofore been read second time and referred to the Committee on State Affairs.

The Committee on State Affairs having recommended the adoption of the resolution.

Question recurring on the resolution, it was adopted.

GRANTING PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration, at this time,

H. C. R. No. 136, Granting W. T. Caswell permission to sue the State of Texas.

The resolution having heretofore been read second time and referred to the Committee on State Affairs.

The Committee on State Affairs having recommended the adoption of the resolution.

Question recurring on the resolution, it was adopted.

GRANTING PERMISSION TO SUE THE STATE

The Speaker laid before the House for consideration, at this time,

S. C. R. No. 67, Granting Silas Gotcher permission to sue the State of Texas.

The resolution having heretofore been read second time and referred to the Committee on State Affairs.

The Committee on State Affairs having recommended the adoption of the resolution.

Question recurring on the resolution, it was adopted.

GRANTING PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration, at this time,

S. C. R. No. 64, Granting the Trinity Portland Cement Company permission to bring suit against the State of Texas.

The resolution having heretofore been read second time and referred to the Committee on State Affairs.

The Committee on State Affairs having recommended the adoption of the resolution.

Question recurring on the resolution, it was adopted.

GRANTING PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration, at this time,

S. C. R. No. 63, Granting the National Biscuit Company permission to sue the State of Texas.

The resolution having heretofore been read second time and referred to the Committee on State Affairs.

The Committee on State Affairs having recommended the adoption of the resolution.

Question recurring on the resolution, it was adopted.

SENATE BILL NO. 216 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 216, A bill to be entitled "An Act to amend Article 5550, Revised Civil Statutes of Texas, 1925, providing for causes to be docketed

in judicial proceedings in cases of lunacy, and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 216 ON THIRD READING

Mr. Howard moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 216 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—117

Adkins	Howard
Alsup	Huddleston
Amos	Hyder
Baker	James
Bates	Johnson of Ellis
Beckworth	Johnson
Bell	of Tarrant
Boethel	Jones of Angelina
Bond	Jones of Atascosa
Boyer	Jones of Wise
Bradbury	Keefe
Bridgers	Keith
Broadfoot	Kelt
Brown	Kenyon
Burton	Kern
Cagle	King
Callan	Knetsch
Carssow	Langdon
Cathey	Lankford
Cauthorn	Lanning
Celaya	Leath
Cleveland	Leonard
Colquitt	Loggins
Davis of Jasper	London
Davison of Fisher	Lucas
Davisson	Mauritz
of Eastland	McConnell
Deglandon	McKinney
Derden	Metcalfe
Dickison	Moffett
England	Morris
Farmer	Morse
Felty	Newton
Fox	Nicholson
Gibson	Oliver
Hamilton	Palmer
Hankamer	Patterson of Mills
Hanna	Patterson
Harbin	of Travis
Harper	Petsch
Harrell	Pope
Harris of Archer	Powell
Harris of Dallas	Quinn
Hartzog	Ragsdale
Herzik	Reed of Bowie
Holland	Reed of Dallas
Hoskins	Rhodes

Riddle	Tarwater
Roark	Tennant
Ross	Tennyson
Settle	Thornberry
Shell	Thornton
Simpson	Vale
Skaggs	Waggoner
Smith of Hopkins	Walker
Smith	Weldon
of Matagorda	Westbrook
Smith of Tarrant	Winfree
Stevenson	Wood
Stinson	Worley
Talbert	

Nays—1

Blankenship

Absent

Alexander	Leyendecker
Dean	Little
Dollins	Mann
Fielden	Mays
Fuchs	McCracken
Graves	McFarland
Hardin	McKee
Harris of Dickens	Prescott
Heflin	Sewell
Hull	Sharpe
Jackson	Stocks
Jones of Falls	

Absent—Excused

Bradford	Reader
Davis of Haskell	Russell
McDonald	Rutta
Monkhouse-	Schuenemann

The Speaker then laid Senate Bill No. 216 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—118

Adkins	Cauthorn
Alsup	Celaya
Amos	Cleveland
Baker	Colquitt
Bates	Davison of Fisher
Beckworth	Davisson
Bell	of Eastland
Boethel	Deglandon
Bond	Derden
Boyer	Dollins
Bradbury	Farmer
Bridgers	Felty
Broadfoot	Fox
Brown	Gibson
Burton	Hamilton
Cagle	Hankamer
Callan	Hanna
Carssow	Harbin
Cathey	Hardin

Harper	Newton
Harrell	Nicholson
Harris of Archer	Oliver
Harris of Dallas	Palmer
Hartzog	Patterson of Mills
Herzik	Patterson
Holland	of Travis
Hoskins	Petsch
Howard	Pope
Huddleston	Powell
Hyder	Prescott
James	Quinn
Johnson of Ellis	Ragsdale
Johnson	Reed of Bowie
of Tarrant	Reed of Dallas
Jones of Angelina	Rhodes
Jones of Atascosa	Riddle
Jones of Falls	Roark
Jones of Wise	Ross
Keefe	Settle
Keith	Shell
Kelt	Simpson
Kenyon	Skaggs
Kern	Smith of Hopkins
King	Smith
Knetsch	of Matagorda
Langdon	Smith of Tarrant
Lankford	Stevenson
Lanning	Stinson
Leath	Talbert
Leonard	Tarwater
Loggins	Tennant
London	Tennyson
Lucas	Thornberry
Mauritz	Thornton
McConnell	Vale
McKee	Waggoner
McKinney	Weldon
Metcalfe	Westbrook
Moffett	Winfree
Morris	Wood
Morse	Worley

Nays—1

Blankenship

Absent

Alexander	Jackson
Davis of Jasper	Leyendecker
Dean	Little
Dickison	Mann
England	Mays
Fielden	McCracken
Fuchs	McFarland
Graves	Sewell
Harris of Dickens	Sharpe
Heflin	Stocks
Hull	Walker

Absent—Excused

Bradford	Reader
Davis of Haskell	Russell
McDonald	Rutta
Monkhouse	Schuenemann

HOUSE JOINT RESOLUTION NO.
53 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. J. R. No. 53, Proposing an amendment to Article IV, Section I of the Constitution of the State of Texas by adding thereto a section to be known as Section I (a), providing that adjacent counties may, under such rules as the Legislature may prescribe, consolidate; providing for an election on the question of adoption or rejection of such an amendment and making an appropriation therefor; providing for the proclamation and publication thereof; and prescribing the form of ballot.

The resolution was read second time.

Mr. Patterson of Travis offered the following amendment to the resolution:

Amend House Joint Resolution No. 53, by fixing the date for the election of the resolution for next General Election in November, 1938.

The amendment was adopted.

House Joint Resolution No. 53 was passed to engrossment by the following vote:

Yeas—92

Alsup	Hankamer
Baker	Harbin
Bates	Harper
Beckworth	Harris of Archer
Bell	Harris of Dallas
Boethel	Herzik
Bond	Holland
Boyer	Howard
Bradbury	Huddleston
Broadfoot	Hyder
Brown	James
Burton	Johnson of Ellis
Callan	Jones of Angelina
Carssow	Jones of Atascosa
Cathey	Jones of Wise
Cauthorn	Keefe
Celaya	Keith
Cleveland	Kelt
Colquitt	Kern
Davis of Jasper	King
Davison of Fisher	Langdon
Davisson	Lankford
of Eastland	Lanning
Deglandon	Leath
Dickison	Leonard
Farmer	Loggins
Felty	London
Fox	Lucas
Gibson	Mauritz
Hamilton	McConnell

McKee	Ross
McKinney	Settle
Metcalfe	Simpson
Moffett	Smith
Morris	of Matagorda
Morse	Smith of Tarrant
Newton	Stevenson
Palmer	Stinson
Patterson	Talbert
of Travis	Tennant
Petsch	Tennyson
Pope	Thornberry
Powell	Vale
Prescott	Waggoner
Quinn	Walker
Ragsdale	Weldon
Rhodes	Worley
Roark	

Nays—20

Adkins	Oliver
Amos	Reed of Bowie
Blankenship	Reed of Dallas
Derden	Riddle
Dollins	Smith of Hopkins
Harrell	Tarwater
Johnson	Thornton
of Tarrant	Westbrook
Kenyon	Winfree
Knetsch	Wood
Nicholson	

Present—Not Voting

Skaggs

Absent

Alexander	Jackson
Bridgers	Jones of Falls
Cagle	Leyendecker
Dean	Little
England	Mann
Fielden	Mays
Fuchs	McCracken
Graves	McFarland
Hanna	Monkhouse
Hardin	Patterson of Mills
Harris of Dickens	Sewell
Hartzog	Sharpe
Heflin	Shell
Hoskins	Stocks
Hull	

Absent—Excused

Bradford	Russell
Davis of Haskell	Rutta
McDonald	Schuenemann
Reader	

SENATE BILL NO. 424 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 424, A bill to be entitled

"An Act relating to the compensation of the county judge, sheriff, district attorney or criminal district attorney, as the case may be, the assessor and collector of taxes, county clerk, district clerk, and the county commissioners in all counties having a population in excess of two hundred thousand (200,000) inhabitants and also relating to the compensation of county auditors in all counties having a population in excess, etc., and declaring an emergency."

The bill was read second time.

Mr. Smith of Tarrant offered the following amendment to the bill:

Amend Senate Bill No. 424, as follows: Strike out the words and figures "one hundred ninety thousand (190,000)" wherever they appear in the bill, and substitute therefor the words and figures "two hundred fifty thousand (250,000)".

SMITH of Tarrant,
JOHNSON of Tarrant,
AMOS.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Senate Bill No. 424 was then passed to third reading.

SENATE BILL NO. 424 ON THIRD READING

Mr. Dickison moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 424 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—106

Adkins	Cauthorn
Alsup	Celaya
Baker	Cleveland
Bates	Colquitt
Beckworth	Davis of Jasper
Boethel	Davisson
Bond	of Eastland
Boyer	Deglandon
Bradbury	Derden
Bridgers	Dickison
Broadfoot	Dollins
Brown	England
Burton	Felty
Cagle	Fox
Callan	Fuchs
Carsow	Gibson
Cathey	Hamilton

Hankamer	Morse
Hanna	Newton
Harbin	Nicholson
Harper	Oliver
Harrell	Palmer
Harris of Archer	Patterson of Mills
Harris of Dallas	Patterson
Hartzog	of Travis
Herzik	Petsch
Holland	Powell
Hoskins	Prescott
Howard	Quinn
Huddleston	Ragsdale
Hyder	Reed of Bowie
James	Reed of Dallas
Johnson	Rhodes
of Tarrant	Roark
Jones of Angelina	Ross
Jones of Wise	Settle
Keefe	Shell
Keith	Simpson
Kelt	Skaggs
Kenyon	Smith of Hopkins
Kern	Smith
King	of Matagorda
Langdon	Smith of Tarrant
Lankford	Talbert
Lanning	Tarwater
Leath	Tennant
Leonard	Tennyson
Loggins	Thornberry
London	Thornton
Lucas	Vale
Mauritz	Waggoner
McConnell	Walker
Metcalfe	Weldon
Moffett	Winfree
Morris	Wood

Nays—2

Amos	Blankenship
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Present—Not Voting

Knetsch	McKee
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Absent

Alexander	Little
Bell	Mann
Davison of Fisher	Mays
Dean	McCracken
Farmer	McFarland
Fielden	McKinney
Graves	Pope
Hardin	Riddle
Harris of Dickens	Sewell
Heflin	Sharpe
Hull	Stevenson
Jackson	Stinson
Johnson of Ellis	Stocks
Jones of Atascosa	Westbrook
Jones of Falls	Worley
Leyendecker	

Absent—Excused

Bradford	Reader
Davis of Haskell	Russell
McDonald	Rutta
Monkhouse	Schuenemann

The Speaker then laid Senate Bill No. 424 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—104

Adkins	Jones of Atascosa
Alsup	Jones of Wise
Baker	Keefe
Bates	Keith
Beckworth	Kelt
Bell	Kenyon
Boethel	Kern
Bond	King
Boyer	Langdon
Bridgers	Lanning
Broadfoot	Leath
Burton	Leonard
Cagle	Loggins
Callan	London
Carssow	Lucas
Cathey	Mauritz
Cauthorn	McKinney
Celaya	Metcalfe
Cleveland	Moffett
Colquitt	Morris
Davis of Jasper	Morse
Davisson	Newton
of Eastland	Nicholson
Deglandon	Oliver
Derden	Palmer
Dickison	Patterson of Mills
Dollins	Patterson
England	of Travis
Felty	Petsch
Fox	Powell
Fuchs	Prescott
Gibson	Quinn
Graves	Ragsdale
Hamilton	Reed of Bowie
Hankamer	Reed of Dallas
Hanna	Rhodes
Harbin	Roark
Harper	Ross
Harris of Dallas	Shell
Hartzog	Simpson
Herzik	Skaggs
Holland	Smith
Hoskins	of Matagorda
Howard	Stinson
Huddleston	Talbert
Hyder	Tarwater
James	Tennant
Johnson of Ellis	Tennyson
Johnson	Thornberry
of Tarrant	Thornton
Jones of Angelina	Vale

Waggoner
Walker
Weldon

Winfree
Wood
Worley

Nays—6

Amos
Blankenship
Harrell

Lankford
Smith of Tarrant
Stevenson

Present—Not Voting

Bradbury
Knetsch
McConnell

McKee
Settle
Smith of Hopkins

Absent

Alexander
Brown
Davison of Fisher
Dean
Farmer
Fielden
Hardin
Harris of Archer
Harris of Dickens
Heflin
Hull
Jackson
Jones of Falls

Leyendecker
Little
Mann
Mays
McCracken
McFarland
Pope
Riddle
Sewell
Sharpe
Stocks
Westbrook

Absent—Excused

Bradford
Davis of Haskell
McDonald
Monkhouse

Reader
Russell
Rutta
Schuenemann

SENATE BILL NO. 300 ON SECOND
READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 300, A bill to be entitled "An Act to amend Chapter 74 of the General Laws enacted by the Second Called Session of the Forty-first Legislature authorizing the commissioners' courts of the several counties in Texas to issue refunding bonds for the purpose of refunding road bonds that have been or may hereafter be issued and authorizing the said commissioners' courts to issue refunding bonds for the purpose of refunding any outstanding matured interest on any such road bonds, that are issued by authority of statutes enacted pursuant to Section 52 of Article 3 of the Constitution of Texas, for and on behalf of political subdivisions, defined districts and consolidated districts in such counties, and authorizing the commissioners' courts to pass all appropriate

orders to carry out such refunding without the necessity of any notice or right to a referendum vote; and to levy ad valorem taxes in payment thereof, and declaring an emergency."

The bill was read second time.

Mr. Reed of Bowie offered the following amendments to the bill:

Amend Senate Bill No. 300, by striking out all below the enacting clause and inserting in lieu thereof the following:

Section 1. That the Commissioners' Court of Bowie County, Texas, for and on behalf of any political subdivision, defined district or consolidated district in such county, shall have the right at all times to issue refunding bonds for the refunding of any road bonds that have been issued or that may hereafter be issued under the authority of any law enacted pursuant to Section 52 of Article 3 of the Constitution of Texas by any such political subdivision, defined district or consolidated district in such county, and the Commissioners' Court shall further have the right at all times to issue and refund into refunding bonds any outstanding matured interest on any such bonds. Such refunding bonds shall mature not later than forty (40) years from their date, payable at such time or times as may be deemed most expedient by the Commissioners' Court, and such refunding bonds may be made to bear interest at the same or a lower rate than the original bonds. The Commissioners' Court shall have the authority to pass all appropriate orders to properly carry out such refunding without the necessity of giving any notice or right to a referendum vote. When providing for such refunding, the Commissioners Court shall provide for the levy of ad valorem taxes on all taxable property in such political subdivision, defined district or consolidated district, as the case may be, sufficient to pay the current interest on such refunding bonds and to pay the principal as it matures.

Sec. 2. That the fact that the Commissioners' Court of Bowie County, Texas, already has the power to authorize the refunding of outstanding matured interest on county bonds but do not have the power in reference to matured interest on bonds of political subdivisions or road districts, thus resulting in loss and inconvenience to road districts whose interest should

be refunded constitutes an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three separate days be suspended, and such Rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted."

REED of Bowie.

HARPER.

Amend Senate Bill No. 300, by striking out all above the enacting clause and insert in lieu thereof the following:

"A BILL

To Be Entitled

An Act authorizing the Commissioners' Court of Bowie County, Texas, to issue refunding bonds for the purpose of refunding road bonds that have been or may hereafter be issued and authorizing the said Commissioners' Court to issue refunding bonds for the purpose of refunding any outstanding matured interest on any such road bonds, that are issued by authority of statutes enacted pursuant to Section 52 of Article 3 of the Constitution of Texas, for and on behalf of political subdivisions, defined districts and consolidated districts in such county, and authorizing the Commissioners' Court to pass all appropriate orders to carry out such refunding without the necessity of any notice or right to a referendum vote; and to levy ad valorem taxes in payment thereof and declaring an emergency."

The amendments were severally adopted.

Senate Bill No. 300 was then passed to third reading.

SENATE BILL NO. 300 ON THIRD READING

Mr. Reed of Bowie moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 300 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—110

Adkins	Beckworth
Alsup	Bell
Amos	Boethel
Baker	Bond
Bates	Boyer

Bradbury	Lanning
Bridgers	Leath
Broadfoot	Leonard
Brown	Loggins
Burton	London
Cagle	Lucas
Callan	Mauritz
Carssow	McConnell
Cauthorn	McKinney
Celaya	Metcalfe
Cleveland	Moffett
Colquitt	Morris
Davis of Jasper	Morse
Deglandon	Newton
Derden	Nicholson
Dickison	Palmer
England	Patterson of Mills
Felty	Patterson
Fox	of Travis
Fuchs	Petsch
Gibson	Powell
Hamilton	Quinn
Hankamer	Ragsdale
Hanna	Reed of Bowie
Harbin	Reed of Dallas
Hardin	Rhodes
Harper	Roark
Harrell	Ross
Harris of Archer	Settle
Harris of Dallas	Shell
Hartzog	Simpson
Herzik	Skaggs
Holland	Smith of Hopkins
Hoskins	Smith
Howard	of Matagorda
Huddleston	Smith of Tarrant
Hyder	Stinson
James	Talbert
Johnson of Ellis	Tarwater
Johnson	Tennant
of Tarrant	Tennyson
Jones of Angelina	Thornberry
Jones of Atascosa	Thornton
Jones of Wise	Vale
Keefe	Waggoner
Keith	Walker
Kelt	Weldon
Kenyon	Westbrook
Kern	Winfree
King	Wood
Langdon	Worley
Lankford	

Nays—1

Blankenship

Present—Not Voting

McKee

Absent

Alexander	Dean
Cathey	Dollins
Davison of Fisher	Farmer
Davisson	Fielden
of Eastland	Graves

Harris of Dickens	McCracken
Heflin	McFarland
Hull	Oliver
Jackson	Pope
Jones of Falls	Prescott
Knetsch	Riddle
Leyendecker	Sewell
Little	Sharpe
Mann	Stevenson
Mays	Stocks

Absent—Excused

Bradford	Reader
Davis of Haskell	Russell
McDonald	Rutta
Monkhouse	Schuenemann

The Speaker then laid Senate Bill No. 300 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—116

Adkins	Harrell
Alsup	Harris of Archer
Amos	Harris of Dallas
Baker	Hartzog
Bates	Herzik
Beckworth	Holland
Bell	Hoskins
Boethel	Howard
Bond	Huddleston
Boyer	Hyder
Bradbury	James
Bridgers	Johnson of Ellis
Broadfoot	Johnson
Brown	of Tarrant
Burton	Jones of Angelina
Cagle	Jones of Atascosa
Callan	Jones of Wise
Carssow	Keefe
Cathey	Keith
Cauthorn	Kelt
Celaya	Kenyon
Cleveland	Kern
Colquitt	King
Davis of Jasper	Knetsch
Davisson	Langdon
of Eastland	Lankford
Deglandon	Lanning
Derden	Leath
Dickison	Leonard
England	Loggins
Fox	London
Fuchs	Lucas
Gibson	Mauritz
Graves	McConnell
Hamilton	McKee
Hankamer	McKinney
Hanna	Metcalfe
Harbin	Moffett
Hardin	Morris
Harper	Morse

Newton	Smith of Hopkins
Nicholson	Smith
Oliver	of Matagorda
Palmer	Smith of Tarrant
Patterson of Mills	Stevenson
Patterson	Stinson
of Travis	Talbert
Petsch	Tarwater
Powell	Tennant
Quinn	Tennyson
Ragsdale	Thornberry
Reed of Bowie	Thornton
Reed of Dallas	Vale
Rhodes	Waggoner
Roark	Walker
Ross	Weldon
Settle	Westbrook
Shell	Winfree
Simpson	Wood
Skaggs	Worley

Nays—1

Blankenship

Absent

Alexander	Leyendecker
Davison of Fisher	Little
Dean	Mann
Dollins	Mays
Farmer	McCracken
Felty	McFarland
Fielden	Pope
Harris of Dickens	Prescott
Heflin	Riddle
Hull	Sewell
Jackson	Sharpe
Jones of Falls	Stocks

Absent—Excused

Bradford	Reader
Davis of Haskell	Russell
McDonald	Rutta
Monkhouse	Schuenemann

Mr. Celaya moved that the call of the House be extended until the local bill calendar is disposed of.

The motion prevailed.

SENATE BILL NO. 445 ON
SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 445, A bill to be entitled "An Act to amend Article 4617, Revised Civil Statutes of Texas of 1925, Captioned, 'When wife may convey, et cetera, 'enlarging the scope of its meaning, and creating an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 445 ON THIRD
READING

Mr. Stinson moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 445 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—110

Adkins	Johnson
Alsup	of Tarrant
Amos	Jones of Angelina
Baker	Jones of Atascosa
Bates	Jones of Wise
Beckworth	Keefe
Bell	Keith
Boethel	Kelt
Bond	Kern
Boyer	King
Bradbury	Knetsch
Bridgers	Langdon
Brown	Lankford
Burton	Lanning
Cagle	Leath
Callan	Leonard
Carssow	Loggins
Cathey	London
Cauthorn	Lucas
Celaya	Mauritz
Cleveland	McKee
Colquitt	McKinney
Davis of Jasper	Metcalf
Davisson	Moffett
of Eastland	Morris
Deglandon	Morse
Derden	Newton
Dickison	Nicholson
Dollins	Oliver
England	Palmer
Felty	Patterson
Fox	of Travis
Fuchs	Petsch
Gibson	Pope
Hamilton	Quinn
Hankamer	Ragsdale
Hanna	Reed of Bowie
Harbin	Reed of Dallas
Hardin	Rhodes
Harper	Roark
Harrell	Ross
Harris of Archer	Settle
Harris of Dallas	Shell
Hartzog	Simpson
Holland	Skaggs
Hoskins	Smith of Hopkins
Howard	Smith
Huddleston	of Matagorda
Hyder	Smith of Tarrant
James	Stevenson
Johnson of Ellis	Stinson

Talbert	Vale
Tarwater	Walker
Tennant	Weldon
Tennyson	Winfree
Thornberry	Wood
Thornton	Worley

Nays—2

Blankenship	Kenyon
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Absent

Alexander	Mann
Broadfoot	Mays
Davison of Fisher	McConnell
Dean	McCracken
Farmer	McFarland
Fielden	Patterson of Mills
Graves	Powell
Harris of Dickens	Prescott
Heflin	Riddle
Herzik	Sewell
Hull	Sharpe
Jackson	Stocks
Jones of Falls	Waggoner
Leyendecker	Westbrook
Little	

Absent—Excused

Bradford	Reader
Davis of Haskell	Russell
McDonald	Rutta
Monkhouse	Schuenemann

The Speaker then laid Senate Bill No. 445 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—111

Adkins	Davisson
Alsup	of Eastland
Amos	Deglandon
Baker	Derden
Beckworth	Dickison
Bell	Dollins
Boethel	England
Bond	Felty
Boyer	Fox
Bradbury	Fuchs
Bridgers	Gibson
Broadfoot	Hamilton
Brown	Hankamer
Burton	Hanna
Cagle	Harbin
Callan	Hardin
Carssow	Harper
Cathey	Harrell
Cauthorn	Harris of Archer
Celaya	Harris of Dallas
Cleveland	Hartzog
Colquitt	Herzik
Davis of Jasper	Holland

Hoskins	Patterson of Mills
Howard	Patterson
Huddleston	of Travis
Hyder	Petsch
James	Pope
Johnson of Ellis	Powell
Johnson	Quinn
of Tarrant	Ragsdale
Jones of Angelina	Reed of Bowie
Jones of Atascosa	Reed of Dallas
Jones of Wise	Rhodes
Keefe	Roark
Keith	Ross
Kelt	Settle
Kenyon	Shell
King	Simpson
Knetsch	Skaggs
Langdon	Smith of Hopkins
Lankford	Smith
Lanning	of Matagorda
Leath	Smith of Tarrant
Leonard	Stevenson
Loggins	Stinson
London	Talbert
Lucas	Tennant
Mauritz	Tennyson
Metcalfe	Thornberry
Moffett	Thornton
Morris	Vale
Morse	Waggoner
Newton	Walker
Nicholson	Weldon
Oliver	Winfree
Palmer	Wood

Nays—1

Blankenship

Absent

Alexander	Mann
Bates	Mays
Davison of Fisher	McConnell
Dean	McCracken
Farmer	McFarland
Fielden	McKee
Graves	McKinney
Harris of Dickens	Prescott
Heflin	Riddle
Hull	Sewell
Jackson	Sharpe
Jones of Falls	Stocks
Kern	Tarwater
Leyendecker	Westbrook
Little	Worley

Absent—Excused

Bradford	Reader
Davis of Haskell	Russell
McDonald	Rutta
Monkhouse	Schuenemann

SENATE BILL NO. 450 ON
SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 450, A bill to be entitled "An Act to amend Subsection (a) of Section 7, H. B. No. 2, Chapter 13, Acts of the Forty-second Legislature, Third Called Session, as amended by S. B. No. 300, Chapter 136, Acts of the Forty-third Legislature Regular Session, relating to eligible obligations of the counties or road districts of the State to participate in county and road district highway fund, and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 450 ON THIRD
READING

Mr. Shell moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 450 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—107

Adkins	Fox
Alsup	Fuchs
Amos	Gibson
Baker	Hamilton
Bates	Hankamer
Beckworth	Hanna
Bell	Harbin
Boethel	Hardin
Bond	Harper
Boyer	Harris of Dallas
Bradbury	Hartzog
Bridgers	Herzik
Brown	Holland
Burton	Hoskins
Cagle	Howard
Callan	Huddleston
Carssow	Hyder
Cathey	James
Cauthorn	Johnson of Ellis
Celaya	Johnson
Cleveland	of Tarrant
Colquitt	Jones of Angelina
Davis of Jasper	Jones of Atascosa
Davison	Jones of Wise
of Eastland	Keefe
Deglandon	Keith
Derden	Kelt
England	Kenyon
Dickison	Kern
Dollins	Langdon
Felty	Lankford

Lanning	Roark
Leath	Ross
Leonard	Settle
Loggins	Shell
London	Simpson
Lucas	Skaggs
McConnell	Smith of Hopkins
McKinney	Smith
Metcalfe	of Matagorda
Moffett	Smith of Tarrant
Morris	Stinson
Morse	Talbert
Nicholson	Tennant
Oliver	Tennyson
Palmer	Thornberry
Patterson	Thornton
of Travis	Vale
Petsch	Waggoner
Pope	Walker
Powell	Weldon
Quinn	Westbrook
Ragsdale	Winfree
Reed of Bowie	Wood
Reed of Dallas	Worley
Rhodes	

Nays—1

Blankenship

Absent

Alexander	Little
Broadfoot	Mann
Davison of Fisher	Mauritz
Dean	Mays
Farmer	McCracken
Fielden	McFarland
Graves	McKee
Harrell	Monkhouse
Harris of Archer	Newton
Harris of Dickens	Patterson of Mills
Heflin	Prescott
Hull	Riddle
Jackson	Sewell
Jones of Falls	Sharpe
King	Stevenson
Knetsch	Stocks
Leyendecker	Tarwater

Absent—Excused

Bradford	Russell
Davis of Haskell	Rutta
McDonald	Schuenemann
Reader	

The Speaker then laid Senate Bill No. 450 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—112

Adkins	Baker
Alsup	Bates
Amos	Beckworth

Bell	Knetsch
Boethel	Langdon
Bond	Lankford
Boyer	Lanning
Bradbury	Leath
Bridgers	Leonard
Brown	Loggins
Burton	Lucas
Cagle	Mauritz
Callan	McConnell
Carssow	McKee
Cathey	McKinney
Cauthorn	Metcalfe
Celaya	Moffett
Cleveland	Morris
Colquitt	Morse
Davis of Jasper	Newton
Davisson	Nicholson
of Eastland	Oliver
Deglandon	Palmer
Derden	Patterson of Mills
Dickison	Patterson
Dollins	of Travis
England	Petsch
Felty	Pope
Fox	Powell
Fuchs	Quinn
Gibson	Ragsdale
Hamilton	Reed of Bowie
Hankamer	Reed of Dallas
Hanna	Rhodes
Harbin	Roark
Hardin	Ross
Harper	Settle
Harris of Archer	Shell
Harris of Dallas	Simpson
Hartzog	Skaggs
Herzik	Smith of Hopkins
Holland	Smith
Hoskins	of Matagorda
Howard	Smith of Tarrant
Huddleston	Stinson
Hyder	Talbert
James	Tennant
Johnson of Ellis	Tennyson
Johnson	Thornberry
of Tarrant	Thornton
Jones of Angelina	Vale
Jones of Atascosa	Waggoner
Jones of Wise	Walker
Keefe	Weldon
Keith	Westbrook
Kelt	Winfree
Kern	Wood
King	Worley

Nays—1

Blankenship

Absent

Alexander	Farmer
Broadfoot	Fielden
Davison of Fisher	Graves
Dean	Harrell

Harris of Dickens	McCracken
Heflin	McDonald
Hull	McFarland
Jackson	Monkhouse
Jones of Falls	Prescott
Kenyon	Riddle
Leyendecker	Sewell
Little	Sharpe
London	Stevenson
Mann	Stocks
Mays	Tarwater

Absent—Excused

Bradford	Russell
Davis of Haskell	Rutta
Reader	Schuenemann

SENATE BILL NO. 499 ON
SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 499, A bill to be entitled "An Act to increase and provide for the salary of the Superintendent of Public Instruction of Denton County; providing for traveling expenses, office expenses; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time.

Mr. Smith of Matagorda offered the following amendment to the bill:

Amend Senate Bill No. 499, by adding a new section to read as follows:

"The provisions of this Act shall apply to County Superintendents in counties having not less than 17,660 and not more than 17,850, according to the last Federal Census."

The amendment was adopted.

Mr. Hyder offered the following amendment to the bill:

Amend Senate Bill No. 499, Section one, by striking out the section and inserting in lieu thereof:

"Section 1. That the salary of the Superintendent of Public Instruction of Denton County, Texas, from and after the passage of this Act, shall be not less than Twenty-Seven Hundred (\$2,700.00) Dollars and not more than Three Thousand (\$3,000.00) Dollars per annum, and said salary shall be fixed by the County Board of Denton County not to exceed Three Thousand (\$3,000.00) Dollars per annum."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Senate Bill No. 499 was then passed to third reading.

SENATE BILL NO. 499 ON THIRD
READING

Mr. Hyder moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 499 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—109

Alsup	Howard
Amos	Hyder
Baker	James
Bates	Johnson of Ellis
Beckworth	Jones of Angelina
Bell	Jones of Atascosa
Boethel	Jones of Wise
Bond	Keefe
Boyer	Keith
Bradbury	Kelt
Bridgers	Kern
Brown	King
Burton	Knetsch
Cagle	Langdon
Callan	Lankford
Carssow	Lanning
Cathey	Leath
Cauthorn	Leonard
Cleveland	Loggins
Colquitt	London
Davis of Jasper	Lucas
Davisson	Mauritz
of Eastland	McConnell
Deglandon	McKee
Derden	McKinney
Dickison	Metcalf
Dollins	Moffett
England	Morris
Felty	Morse
Fox	Newton
Fuchs	Nicholson
Gibson	Palmer
Hamilton	Patterson of Mills
Hankamer	Patterson
Hanna	of Travis
Harbin	Petsch
Hardin	Pope
Harper	Powell
Harrell	Quinn
Harris of Dallas	Ragsdale
Hartzog	Reed of Bowie
Heflin	Reed of Dallas
Herzik	Rhodes
Holland	Roark
Hoskins	Settle

Shell	Tennant
Simpson	Tennyson
Skaggs	Thornberry
Smith of Hopkins	Thornton
Smith	Vale
of Matagorda	Waggoner
Smith of Tarrant	Walker
Stevenson	Weldon
Stinson	Westbrook
Talbert	Winfree
Tarwater	Wood

Nays—1

Blankenship

Absent

Adkins	Kenyon
Alexander	Leyendecker
Broadfoot	Little
Celaya	Mann
Davison of Fisher	Mays
Dean	McCracken
Farmer	McDonald
Fielden	McFarland
Graves	Monkhouse
Harris of Archer	Oliver
Harris of Dickens	Prescott
Huddleston	Riddle
Hull	Ross
Jackson	Sewell
Johnson	Sharpe
of Tarrant	Stocks
Jones of Falls	Worley

Absent—Excused

Bradford	Russell
Davis of Haskell	Rutta
Reader	Schuenemann

The Speaker then laid Senate Bill No. 499 before the House on third reading and final passage.

The bill was read third time.

Mr. Alsip offered the following amendment to the bill:

Add the following counties to the provisions of Senate Bill No. 499: Panola, Milam, DeWitt, Palo Pinto, Stephens, Caldwell, Lamar and Starr.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Senate Bill No. 499 was then passed by the following vote:

Yeas—90

Alsip	Beckworth
Amos	Bell
Bates	Bond

Boyer	Kelt
Bradbury	King
Bridgers	Langdon
Broadfoot	Lankford
Burton	Lanning
Cagle	Leonard
Carssow	Loggins
Cathey	London
Cauthorn	Lucas
Cleveland	Mauritz
Colquitt	McConnell
Davis of Jasper	Metcalf
Davison of Fisher	Morris
Davisson	Morse
of Eastland	Newton
Derden	Nicholson
Dickison	Oliver
Dollins	Palmer
England	Patterson of Mills
Felty	Patterson
Fox	of Travis
Fuchs	Petsch
Gibson	Pope
Hamilton	Prescott
Hankamer	Ragsdale
Hanna	Reed of Dallas
Harbin	Rhodes
Harper	Roark
Harrell	Shell
Harris of Archer	Simpson
Harris of Dallas	Smith
Hartzog	of Matagorda
Heflin	Smith of Tarrant
Holland	Stinson
Hoskins	Talbert
Howard	Tarwater
Hyder	Tennant
James	Tennyson
Johnson of Ellis	Thornton
Johnson	Vale
of Tarrant	Walker
Jones of Angelina	Weldon
Jones of Wise	Winfree
Keefe	Wood

Nays—16

Blankenship	Knetsch
Brown	McKee
Callan	Moffett
Deglandon	Reed of Bowie
Jones of Atascosa	Ross
Keith	Skaggs
Kenyon	Smith of Hopkins
Kern	Stevenson

Present—Not Voting

Herzik	Settle
Powell	

Absent

Adkins	Boethel
Alexander	Celaya
Baker	Dean

Farmer	McCracken
Fielden	McDonald
Graves	McFarland
Hardin	McKinney
Harris of Dickens	Monkhouse
Huddleston	Quinn
Hull	Riddle
Jackson	Sewell
Jones of Falls	Sharpe
Leath	Stocks
Leyendecker	Thornberry
Little	Waggoner
Mann	Westbrook
Mays	Worley

Absent—Excused

Bradford	Russell
Davis of Haskell	Rutta
Reader	Schuenemann

SENATE BILL NO. 515 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 515, A bill to be entitled "An Act to amend H. B. No. 750 as passed by the Forty-fifth Legislature, Regular Session, providing an open season for the killing of wild mourning doves and white winged doves in the north zone and south zones as outlined and defined in Article 878 of the Penal Code of the State of Texas, 1925, as amended by Chapter 222, Acts of the Forty-fourth Legislature, Regular Session; creating a new zone to be known as the Gulf Coastal zone, and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 515 ON THIRD READING

Mr. Roark moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 515 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—109

Alsup	Bradbury
Amos	Bridgers
Bates	Broadfoot
Beckworth	Brown
Bell	Burton
Boethel	Cagle
Bond	Callan
Boyer	Carssow

Cathey	Leonard
Cauthorn	London
Cleveland	Lucas
Davis of Jasper	Mauritz
Davison of Fisher	McConnell
Davisson	McKee
of Eastland	McKinney
Deglandon	Metcalfe
Derden	Moffett
Dickison	Morris
Dollins	Morse
England	Newton
Fox	Nicholson
Fuchs	Palmer
Gibson	Patterson of Mills
Hamilton	Patterson
Hankamer	of Travis
Hanna	Petsch
Harbin	Powell
Hardin	Prescott
Harper	Ragsdale
Harrell	Reed of Bowie
Harris of Archer	Reed of Dallas
Harris of Dallas	Rhodes
Hartzog	Roark
Heflin	Ross
Herzik	Settle
Holland	Shell
Hoskins	Simpson
Howard	Skaggs
Hyder	Smith of Hopkins
James	Smith
Johnson of Ellis	of Matagorda
Johnson	Smith of Tarrant
of Tarrant	Stevenson
Jones of Angelina	Stinson
Jones of Atascosa	Talbert
Jones of Wise	Tarwater
Keefe	Tennant
Keith	Tennyson
Kelt	Thornberry
Kenyon	Thornton
Kern	Vale
King	Walker
Knetsch	Weldon
Langdon	Westbrook
Lapkford	Winfree
Lanning	Wood
Leath	

Nays—1

Blankenship

Absent

Adkins	Harris of Dickens
Alexander	Huddleston
Baker	Hull
Celaya	Jackson
Colquitt	Jones of Falls
Dean	Leyendecker
Farmer	Little
Felty	Loggins
Fielden	Mann
Graves	Mays

McCracken	Riddle
McDonald	Sewell
McFarland	Sharpe
Monkhouse	Stocks
Oliver	Waggoner
Pope	Worley
Quinn	

Absent—Excused

Bradford	Russell
Davis of Haskell	Rutta
Reader	Schuenemann

The Speaker then laid Senate Bill No. 515 before the House on third reading and final passage.

The bill was read third time, and and was passed.

HOUSE BILL NO. 670 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 670, A bill to be entitled "An Act granting aid to the property and inhabitants of Trinity and San Jacinto Counties, Texas, because of the public calamities which have occurred in said Counties by reason of floods and storms which have caused great destruction of property and loss of life; remitting, releasing, granting and donating to said Counties all said ad valorem taxes for general revenue purposes levied and collected on property in said Counties, including the rolling stock of railroads for a period of five years, beginning with the taxable year, 1937, for the use of said Counties for the purposes of constructing improvements to prevent soil erosion, flood control, irrigation and drainage projects and road building, . . . etc., and declaring an emergency."

The bill was read second time, and was passed to engrossment.

MOTION TO TAKE UP HOUSE BILL NO. 670

Mr. Loggins moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 670 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—77

Amos	Beckworth
Bates	Bell

Boyer	Lankford
Bridgers	Lanning
Brown	Leath
Cagle	Leonard
Carssow	Loggins
Cathey	London
Cauthorn	Lucas
Celaya	Mauritz
Cleveland	McKee
Davis of Jasper	McKinney
Davisson	Metcalfe
of Eastland	Moffett
Derden	Morse
Dickison	Newton
Dollins	Oliver
Felty	Palmer
Fox	Patterson of Mills
Fuchs	Petsch
Gibson	Pope
Hankamer	Powell
Hanna	Prescott
Harbin	Ragsdale
Harris of Dallas	Rhodes
Hartzog	Roark
Heflin	Simpson
Herzik	Smith
Holland	of Matagorda
Hoskins	Smith of Tarrant
Huddleston	Stevenson
Hyder	Talbert
Johnson of Ellis	Tennant
Johnson	Thornton
of Tarrant	Vale
Jones of Angelina	Walker
Keefe	Weldon
Kenyon	Westbrook
Kern	Winfree
Langdon	

Nays—32

Alsup	James
Blankenship	Jones of Wise
Boethel	Keith
Bond	Kelt
Bradbury	Knetsch
Broadfoot	Morris
Burton	Nicholson
Callan	Reed of Bowie
Colquitt	Reed of Dallas
Davison of Fisher	Ross
Deglandon	Smith of Hopkins
England	Stinson
Hamilton	Tennyson
Harper	Thornberry
Harrell	Waggoner
Harris of Archer	Wood

Present—Not Voting

McConnell	Shell
Settle	

Absent

Adkins	Dean
Alexander	Farmer
Baker	Fielden

Graves	McDonald
Hardin	McFarland
Harris of Dickens	Monkhouse
Howard	Patterson
Hull	of Travis
Jackson	Quinn
Jones of Atascosa	Riddle
Jones of Falls	Sewell
King	Sharpe
Leyendecker	Skaggs
Little	Stocks
Mann	Tarwater
Mays	Worley
McCracken	

Absent—Excused

Bradford	Russell
Davis of Haskell	Rutta
Reader	Schuenemann

HOUSE BILL NO. 1179 ON SECOND
READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1179, A bill to be entitled "An Act amending Chapter 101, page 279, of the General and Special Laws of the First Called Session of the Forty-third Legislature, being House Bill No. 31, and, as amended by Chapter 346, page 811, of the General and Special Laws of the Regular Session of the Forty-fourth Legislature, being House Bill No. 991, and, as amended by House Bill No. 722, of the General and Special Laws of the Regular Session of the Forty-fifth Legislature, by adding thereto two new sections to be known as Sections 16 and 17, so as to authorize such cities and towns to separate the Firemen, Policemen and Fire Alarm Operators' Pension Fund into a Policemen's Division thereof, and a Firemen's Division, including Fire Alarm Operators thereof, each to have a separate Pension Fund, both to have the same Board of Trustees and to be operated, managed and controlled under existing laws; providing for a procedure for separation; validating Acts of such cities and towns heretofore creating and maintaining separate Funds and separate Division of Firemen, Policemen and Fire Alarm Operators' Pension Fund, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 1179 ON THIRD
READING

Mr. Hankamer moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 1179 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—118

Alsup	Johnson of Ellis
Amos	Johnson
Bates	of Tarrant
Bell	Jones of Angelina
Boethel	Jones of Atascosa
Bond	Jones of Wise
Boyer	Keefe
Bradbury	Keith
Bridgers	Kelt
Broadfoot	Kenyon
Brown	Kern
Burton	King
Cagle	Knetsch
Callan	Langdon
Carssow	Lankford
Cathey	Lanning
Cauthorn	Leath
Celaya	Leonard
Cleveland	Loggins
Colquitt	London
Davis of Jasper	Lucas
Davison of Fisher	Mauritz
Davisson	McConnell
of Eastland	McKee
Deglandon	Metcalfe
Derden	Moffett
Dickison	Monkhouse
Dollins	Morris
England	Morse
Farmer	Newton
Felty	Nicholson
Fox	Oliver
Fuchs	Palmer
Gibson	Patterson of Mills
Hamilton	Patterson
Hankamer	of Travis
Hanna	Petsch
Harbin	Pope
Hardin	Powell
Harper	Prescott
Harrell	Ragsdale
Harris of Archer	Reed of Bowie
Harris of Dallas	Reed of Dallas
Hartzog	Rhodes
Heflin	Roark
Herzik	Ross
Holland	Settle
Hoskins	Sewell
Howard	Shell
Huddleston	Simpson
Hyder	Skaggs
James	Smith of Hopkins

Smith	Thornberry
of Matagorda	Thornton
Smith of Tarrant	Vale
Stevenson	Waggoner
Stinson	Walker
Talbert	Weldon
Tarwater	Westbrook
Tennant	Winfree
Tennyson	Wood

Nays—1

Blankenship

Absent

Adkins	Little
Alexander	Mann
Baker	Mays
Beckworth	McCracken
Dean	McDonald
Fielden	McFarland
Graves	McKinney
Harris of Dickens	Quinn
Hull	Riddle
Jackson	Sharpe
Jones of Falls	Stocks
Leyendecker	Worley

Absent—Excused

Bradford	Russell
Davis of Haskell	Rutta
Reader	Schuenemann

The Speaker then laid House Bill No. 1179 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—114

Alsup	Deglandon
Amos	Derden
Baker	Dickson
Beckworth	Dollins
Bell	England
Boethel	Farmer
Bond	Felty
Boyer	Fox
Bradbury	Fuchs
Bridgers	Gibson
Broadfoot	Hamilton
Brown	Hankamer
Burton	Hanna
Cagle	Harbin
Callan	Hardin
Carssow	Harper
Cathey	Harrell
Cauthorn	Harris of Archer
Celaya	Harris of Dallas
Cleveland	Hartzog
Colquitt	Heflin
Davis of Jasper	Herzik
Davison of Fisher	Holland
Davison	Hoskins
of Eastland	Howard

Hyder	Petsch
James	Pope
Johnson of Ellis	Powell
Johnson	Prescott
of Tarrant	Ragsdale
Jones of Angelina	Reed of Bowie
Jones of Wise	Reed of Dallas
Keefe	Rhodes
Kelt	Roark
Kenyon	Ross
Kern	Settle
King	Sewell
Knetsch	Shell
Langdon	Simpson
Lankford	Skaggs
Lanning	Smith of Hopkins
Leath	Smith
Leonard	of Matagorda
London	Smith of Tarrant
Lucas	Stevenson
Mauritz	Stinson
McConnell	Talbert
McKee	Tarwater
Metcalfe	Tennant
Moffett	Tennyson
Morris	Thornberry
Morse	Thornton
Newton	Vale
Nicholson	Waggoner
Oliver	Walker
Palmer	Weldon
Patterson of Mills	Westbrook
Patterson	Winfree
of Travis	Wood

Nays—1

Blankenship

Absent

Adkins	Little
Alexander	Loggins
Bates	Mann
Dean	Mays
Fielden	McCracken
Graves	McDonald
Harris of Dickens	McFarland
Huddleston	McKinney
Hull	Monkhouse
Jackson	Quinn
Jones of Atascosa	Riddle
Jones of Falls	Sharpe
Keith	Stocks
Leyendecker	Worley

Absent—Excused

Bradford	Russell
Davis of Haskell	Rutta
Reader	Schuenemann

HOUSE BILL NO. 1180 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1180, A bill to be entitled "An Act fixing the compensation of County Auditors in every county having a population of not less than forty-nine thousand (49,000) nor more than fifty-two thousand (52,000) inhabitants according to the last preceding United States Census and prescribing how the same shall be paid; repealing all laws in conflict herewith, and declaring an emergency."

The bill was read second time.

Mr. Morris offered the following amendment to the bill:

Amend House Bill No. 1180, by striking out the words and figures "\$3,600.00" wherever they appear and insert in lieu thereof the words and figures "\$3,000.00".

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 1180 was then passed to engrossment.

HOUSE BILL NO. 1180 ON THIRD READING

Mr. Morris moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 1180 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—111

Alsop	Derden
Amos	Dickison
Bates	Dollins
Bell	England
Boethel	Felty
Bond	Fox
Boyer	Fuchs
Bradbury	Gibson
Bridgers	Hamilton
Broadfoot	Hankamer
Brown	Hanna
Burton	Harbin
Cagle	Hardin
Callan	Harper
Carssow	Harrell
Cauthorn	Harris of Archer
Gelaya	Harris of Dallas
Cleveland	Hartzog
Colquitt	Heflin
Davis of Jasper	Herzik
Davison of Fisher	Hoskins
Davison	Howard
of Eastland	Hyder
Deglandon	James

Johnson of Ellis	Patterson
Johnson	of Travis
of Tarrant	Petsch
Jones of Angelina	Pope
Jones of Atascosa	Powell
Jones of Wise	Prescott
Keefe	Ragsdale
Keith	Reed of Bowie
Kelt	Reed of Dallas
Kenyon	Rhodes
Kern	Roark
King	Ross
Knetsch	Settle
Langdon	Sewell
Lankford	Shell
Lanning	Simpson
Leath	Skaggs
Leonard	Smith of Hopkins
Loggins	Smith
London	of Matagorda
Lucas	Smith of Tarrant
Mauritz	Stinson
McConnell	Talbert
McKee	Tennant
McKinney	Tennyson
Metcalf	Thornberry
Moffett	Thornton
Morris	Vale
Morse	Walker
Newton	Weldon
Oliver	Westbrook
Palmer	Winfree
Patterson of Mills	Wood
	Worley

Nays—1

Blankenship

Absent

Adkins	Little
Alexander	Mann
Baker	Mays
Beckworth	McCracken
Cathey	McDonald
Dean	McFarland
Farmer	Monkhouse
Fielden	Nicholson
Graves	Quinn
Harris of Dickens	Riddle
Holland	Sharpe
Huddleston	Stevenson
Hull	Stocks
Jackson	Tarwater
Jones of Falls	Waggoner
Leyendecker	

Absent—Excused

Bradford	Russell
Davis of Haskell	Rutta
Reader	Schuenemann

The Speaker then laid House Bill No. 1180 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—104

Alsup	Kelt
Bates	Kenyon
Beckworth	Kern
Bell	King
Boethel	Langdon
Bond	Lankford
Boyer	Lanning
Bradbury	Leath
Bridgers	Leonard
Broadfoot	Loggins
Brown	London
Burton	Lucas
Cagle	McConnell
Callan	Metcalfe
Carssow	Moffett
Cauthorn	Morris
Cleveland	Morse
Colquitt	Newton
Davis of Jasper	Oliver
Davison of Fisher	Palmer
Davison	Patterson of Mills
of Eastland	Patterson
Derden	of Travis
Deglandon	Petsch
Dickison	Pope
Dollins	Powell
England	Prescott
Felty	Ragsdale
Fox	Reed of Bowie
Fuchs	Reed of Dallas
Gibson	Rhodes
Hamilton	Roark
Hankamer	Ross
Hanna	Settle
Harbin	Sewell
Hardin	Simpson
Harper	Skaggs
Harrell	Smith of Hopkins
Harris of Dallas	Smith
Hartzog	of Matagorda
Heflin	Smith of Tarrant
Herzik	Stinson
Hoskins	Talbert
Howard	Tarwater
Hyder	Tennant
James	Tennyson
Johnson of Ellis	Thornberry
Johnson	Thornton
of Tarrant	Vale
Jones of Angelina	Walker
Jones of Atascosa	Weldon
Jones of Wise	Westbrook
Keefe	Winfree
Keith	Wood

Nays—1

Blankenship

Present—Not Voting

Knetsch

Absent

Adkins	Mann
Alexander	Mauritz
Amos	Mays
Baker	McCracken
Cathey	McDonald
Celaya	McFarland
Dean	McKee
Farmer	McKinney
Fielden	Monkhouse
Graves	Nicholson
Harris of Archer	Quinn
Harris of Dickens	Riddle
Holland	Sharpe
Huddleston	Shell
Hull	Stevenson
Jackson	Stocks
Jones of Falls	Waggoner
Leyendecker	Worley
Little	

Present—Not Voting

Bradford	Russell
Davis of Haskell	Rutta
Reader	Schuenemann

Mr. Palmer moved that the House recess until 10:00 o'clock a. m., tomorrow.

Mr. Keefe moved that the House recess until 9:00 o'clock a. m., tomorrow.

Mr. Johnson of Ellis moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Question first recurring on the motion to adjourn, it was lost.

Question then recurring on the motion of Mr. Keefe, it was lost.

Question then recurring on the motion by Mr. Palmer, it was lost.

HOUSE BILL NO. 1188 ON SECOND READING

Mr. Beckworth moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 1188 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—108

Alsup	Bradbury
Amos	Bridgers
Bates	Broadfoot
Beckworth	Brown
Bell	Burton
Boethel	Cagle
Boyer	Callan

Carssow	Leath
Cathey	Leonard
Cauthorn	Loggins
Cleveland	London
Colquitt	Lucas
Davis of Jasper	Mauritz
Davison of Fisher	McConnell
Davisson	McKee
of Eastland	McKinney
Deglandon	Metcalf
Derden	Moffett
Dickison	Morris
Dollins	Morse
England	Newton
Farmer	Nicholson
Felty	Palmer
Fox	Patterson of Mills
Fuchs	Patterson
Gibson	of Travis
Hamilton	Petsch
Hankamer	Pope
Hanna	Ragsdale
Harbin	Reed of Bowie
Hardin	Reed of Dallas
Harper	Rhodes
Harris of Archer	Roark
Harris of Dallas	Ross
Hartzog	Settle
Heflin	Sewell
Herzik	Shell
Holland	Simpson
Hoskins	Skaggs
Huddleston	Smith of Hopkins
James	Smith
Johnson of Ellis	of Matagorda
Johnson	Smith of Tarrant
of Tarrant	Stevenson
Jones of Angelina	Stinson
Jones of Wise	Talbert
Keefe	Tarwater
Keith	Tennant
Kelt	Tennyson
Kenyon	Thornberry
Kern	Thornton
King	Vale
Knetsch	Walker
Langdon	Weldon
Lankford	Winfree
Lanning	Wood

Nays—1

Blankenship

Present—Not Voting

Bond

Absent

Adkins	Harrell
Alexander	Harris of Dickens
Baker	Howard
Celaya	Hull
Dean	Hyder
Fielden	Jackson
Graves	Jones of Atascosa

Jones of Falls	Powell
Leyendecker	Prescott
Little	Quinn
Mann	Riddle
Mays	Sharpe
McCracken	Stocks
McDonald	Waggoner
McFarland	Westbrook
Monkhouse	Worley
Oliver	

Absent—Excused

Bradford	Russell
Davis of Haskell	Rutta
Reader	Schuenemann

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 1188, A bill to be entitled "An Act repealing House Bill No. 525, Acts of the Forty-fifth Legislature, Regular Session, amending Article 3221, Revised Civil Statutes of Texas, 1925, as amended by authorizing State Board of Control to accept and care for orphan negro children in the Home located at Austin, Texas; authorizing said Board to move any and all orphan children from the Dickson Colored Orphanage located near Gilmer, Texas, to Austin; providing that as soon as such children are removed, the Board shall sell the Dickson Colored Orphanage property; providing for the disposition of funds realized from the sale of such property, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 1188 ON THIRD READING

The Speaker then laid House Bill No. 1188 before the House on third reading and final passage.

The bill was read third time, and was passed.

HOUSE BILL NO. 1187 ON SECOND READING

Mr. Harrell moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 1187 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—113

Alsup	Keith
Amos	Kelt
Bates	Kenyon
Bell	Kern
Beckworth	King
Boethel	Knetsch
Bond	Lankford
Boyer	Lanning
Bradbury	Leath
Bridgers	Leonard
Broadfoot	Loggins
Brown	London
Burton	Lucas
Cagle	Mauritz
Callan	McConnell
Carssow	McKee
Cathey	McKinney
Cauthorn	Metcalfe
Celaya	Moffett
Cleveland	Morris
Colquitt	Morse
Davis of Jasper	Newton
Davison of Fisher	Nicholson
Davisson	Oliver
of Eastland	Patterson of Mills
Deglandon	Patterson
Derden	of Travis
Dickison	Petsch
Dollins	Pope
England	Powell
Farmer	Ragsdale
Felty	Reed of Bowie
Fox	Reed of Dallas
Fuchs	Rhodes
Gibson	Roark
Hamilton	Ross
Hankamer	Settle
Hanna	Sewell
Harbin	Shell
Hardin	Simpson
Harper	Skaggs
Harrell	Smith of Hopkins
Harris of Archer	Smith
Harris of Dallas	of Matagorda
Hartzog	Smith of Tarrant
Heflin	Stinson
Herzik	Talbert
Holland	Tarwater
Hoskins	Tennant
Howard	Tennyson
Huddleston	Thornberry
Hyder	Thornton
James	Vale
Johnson of Ellis	Walker
Johnson	Weldon
of Tarrant	Westbrook
Jones of Angelina	Winfree
Jones of Wise	Wood
Keefe	

Nays—1

Blankenship

Absent

Adkins	Mays
Alexander	McCracken
Baker	McDonald
Dean	McFarland
Fielden	Monkhouse
Graves	Palmer
Harris of Dickens	Prescott
Hull	Quinn
Jackson	Riddle
Jones of Atascosa	Sharpe
Jones of Falls	Stevenson
Langdon	Stocks
Leyendecker	Waggoner
Little	Worley
Mann	

Absent—Excused

Bradford	Russell
Davis of Haskell	Rutta
Reader	Schuenemann

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 1187, A bill to be entitled "An Act providing for the amount that may be allowed by County Boards of Trustees to the County Superintendents of Public Instruction for expenditures for office and traveling expenses in certain counties according to the last preceding Federal Census; repealing all laws and parts of laws, General or Special, in conflict herewith, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 1187 ON THIRD READING

The Speaker then laid House Bill No. 1187 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—110

Alsup	Callan
Bates	Carssow
Beckworth	Cauthorn
Bell	Celaya
Boethel	Cleveland
Bond	Colquitt
Boyer	Davis of Jasper
Bradbury	Davison of Fisher
Bridgers	Davisson
Broadfoot	of Eastland
Brown	Deglandon
Burton	Derden
Cagle	Dickison

Dollins	McConnell
England	McKee
Farmer	McKinney
Felty	Metcalf
Fox	Moffett
Fuchs	Morris
Gibson	Morse
Hamilton	Newton
Hankamer	Nicholson
Hanna	Oliver
Harbin	Patterson of Mills
Hardin	Patterson
Harper	of Travis
Harrell	Petsch
Harris of Archer	Pope
Harris of Dallas	Powell
Hartzog	Ragsdale
Heflin	Reed of Bowie
Herzik	Reed of Dallas
Holland	Rhodes
Hoskins	Roark
Howard	Ross
Hyder	Settle
James	Sewell
Johnson of Ellis	Shell
Johnson	Simpson
of Tarrant	Skaggs
Jones of Angelina	Smith of Hopkins
Jones of Wise	Smith
Keefe	of Matagorda
Keith	Smith of Tarrant
Kelt	Stinson
Kenyon	Talbert
Kern	Tarwater
King	Tennant
Langdon	Tennyson
Lankford	Thornberry
Lanning	Thornton
Leath	Vale
Leonard	Walker
Loggins	Weldon
London	Westbrook
Lucas	Winfree
Mauritz	Wood

Nays—1

Blankenship

Present—Not Voting

Knetsch

Absent

Adkins	Jones of Atascosa
Alexander	Jones of Falls
Amos	Leyendecker
Baker	Little
Cathey	Mann
Dean	Mays
Fielden	McCracken
Graves	McDonald
Harris of Dickens	McFarland
Huddleston	Monkhouse
Hull	Palmer
Jackson	Prescott

Quinn	Stocks
Riddle	Waggoner
Sharpe	Worley
Stevenson	

Absent—Excused

Bradford	Russell
Davis of Haskell	Rutta
Reader	Schuenemann

ADDITIONAL SIGNER OF HOUSE BILL NO. 1187

By unanimous consent of the House, the following Member was authorized to sign bill, as co-author of same, as follows:

Mr. Harrell, House Bill No. 1187.

SENATE BILL NO. 143 ON SECOND READING

(By unanimous consent)

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 143, A bill to be entitled "An Act making appropriations to pay deficiency appropriations granted by the Governor during the fiscal year ending August 31, 1936, and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 143 ON THIRD READING

Mr. Leonard moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 143 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—102

Alexander	Cauthorn
Alsup	Celaya
Amos	Cleveland
Bates	Colquitt
Beckworth	Davis of Jasper
Boethel	Davison of Fisher
Bond	Davison
Boyer	of Eastland
Bradbury	Deglandon
Bridgers	Derden
Broadfoot	Dickison
Brown	Dollins
Burton	England
Callan	Felty
Carssow	Fox
Cathey	Fuchs

Gibson	McKinney
Hamilton	Metcalfe
Hankamer	Morris
Hanna	Morse
Harbin	Newton
Harper	Nicholson
Harrell	Oliver
Harris of Dallas	Palmer
Hartzog	Patterson of Mills
Heflin	Patterson
Herzik	of Travis
Hoskins	Petsch
Howard	Powell
Huddleston	Ragsdale
James	Reed of Dallas
Johnson of Ellis	Rhodes
Johnson	Roark
of Tarrant	Ross
Jones of Angelina	Settle
Jones of Atascosa	Sewell
Jones of Wise	Shell
Keefe	Simpson
Keith	Smith of Hopkins
Kelt	Smith
Kern	of Matagorda
Knetsch	Smith of Tarrant
Langdon	Stinson
Lankford	Talbert
Lanning	Tarwater
Leath	Tennant
Leonard	Tennyson
Loggins	Thornberry
London	Thornton
Lucas	Vale
Mauritz	Walker
McConnell	Weldon
McKee	Winfree

Nays—11

Bell	Pope
Blankenship	Reed of Bowie
Farmer	Skaggs
Hardin	Stevenson
King	Wood
Moffett	

Absent

Adkins	Little
Baker	Mann
Cagle	Mays
Dean	McCracken
Fielden	McDonald
Graves	McFarland
Harris of Archer	Monkhouse
Harris of Dickens	Prescott
Holland	Quinn
Hull	Riddle
Hyder	Sharpe
Jackson	Stocks
Jones of Falls	Waggoner
Kenyon	Westbrook
Leyendecker	Worley

Absent—Excused

Bradford	Davis of Haskell
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Reader
Russell

Rutta
Schuenemann

The Speaker then laid Senate Bill No. 143 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—105

Alexander	Jones of Wise
Alsup	Keefe
Amos	Keith
Bates	Kelt
Bell	Kern
Beckworth	King
Boethel	Langdon
Bond	Lankford
Boyer	Leath
Bradbury	Leonard
Bridgers	Loggins
Broadfoot	London
Brown	Lucas
Burton	Mann
Cagle	Mauritz
Callan	McConnell
Carssow	McKee
Cathey	McKinney
Cauthorn	Metcalfe
Celaya	Morris
Cleveland	Morse
Colquitt	Newton
Davis of Jasper	Nicholson
Davison of Fisher	Oliver
Davison	Palmer
of Eastland	Patterson of Mills
Deglandon	Patterson
Derden	of Travis
Dickison	Petsch
Dollins	Powell
England	Prescott
Felty	Ragsdale
Fox	Reed of Dallas
Fuchs	Rhodes
Gibson	Roark
Hamilton	Ross
Hankamer	Settle
Hanna	Sewell
Harbin	Shell
Harper	Simpson
Harrell	Smith of Hopkins
Harris of Archer	Smith
Harris of Dallas	of Matagorda
Hartzog	Smith of Tarrant
Heflin	Stinson
Herzik	Talbert
Hoskins	Tarwater
Howard	Tennant
Hyder	Tennyson
James	Thornberry
Johnson of Ellis	Thornton
Johnson	Vale
of Tarrant	Weldon
Jones of Atascosa	Winfree
Jones of Angelina	

Nays—12

Blankenship	Moffett
Farmer	Pope
Hardin	Reed of Bowie
Kenyon	Skaggs
Knetsch	Stevenson
Lanning	Wood

Absent

Adkins	Mays
Baker	McCracken
Dean	McDonald
Fielden	McFarland
Graves	Monkhouse
Harris of Dickens	Quinn
Holland	Riddle
Huddleston	Sharpe
Hull	Stocks
Jackson	Waggoner
Jones of Falls	Walker
Leyendecker	Westbrook
Little	Worley

Absent—Excused

Bradford	Russell
Davis of Haskell	Rutta
Reader	Schuenemann

HOUSE BILL NO. 670 ON THIRD READING

Mr. Roark moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 670 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—102

Alexander	Derden
Alsup	Dickison
Amos	Dollins
Bates	England
Beckworth	Farmer
Bell	Felty
Boethel	Fox
Bond	Fuchs
Boyer	Gibson
Bradbury	Hamilton
Bridgers	Hankamer
Brown	Hanna
Cagle	Harbin
Callan	Hardin
Carsow	Harper
Cathey	Harrell
Cauthorn	Harris of Dallas
Celaya	Hartzog
Cleveland	Heflin
Davis of Jasper	Herzik
Davison of Fisher	Holland
Davisson	Hoskins
of Eastland	Huddleston

Hyder	Patterson of Mills
James	Patterson
Johnson of Ellis	of Travis
Johnson	Petsch
of Tarrant	Pope
Jones of Angelina	Powell
Jones of Atascosa	Prescott
Jones of Wise	Ragsdale
Keefe	Rhodes
Kelt	Roark
Kenyon	Ross
Kern	Settle
King	Sewell
Knetsch	Shell
Langdon	Simpson
Lankford	Skaggs
Lanning	Smith
Leath	of Matagorda
Leonard	Smith of Tarrant
Loggins	Stevenson
London	Talbert
Lucas	Tennant
Mauritz	Thornberry
McKee	Thornton
McKinney	Vale
Metcalfe	Walker
Morse	Weldon
Newton	Westbrook
Oliver	Winfree
Palmer	Wood

Nays—10

Blankenship	Morris
Burton	Nicholson
Colquitt	Reed of Bowie
Deglandon	Reed of Dallas
Moffett	Tennyson

Present—Not Voting

Keith	McConnell
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Absent

Adkins	Mays
Baker	McCracken
Broadfoot	McDonald
Dean	McFarland
Fielden	Monkhouse
Graves	Quinn
Harris of Archer	Riddle
Harris of Dickens	Sharpe
Howard	Smith of Hopkins
Hull	Stinson
Jackson	Stocks
Jones of Falls	Tarwater
Leyendecker	Waggoner
Little	Worley
Mann	

Absent—Excused

Bradford	Russell
Davis of Haskell	Rutta
Reader	Schuenemann

The Speaker then laid House Bill No. 670 before the House on third reading and final passage.

The bill was read third time, and was passed.

HOUSE BILL NO. 704 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 704, A bill to be entitled "An Act conferring jurisdiction upon the County Court of Gillespie County in probate matters and general jurisdiction over estates and transferring the jurisdiction of said Court over civil and criminal cases to District Court of said County, and conforming the jurisdiction of the District Court to such change, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 704 ON THIRD READING

Mr. Petsch moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 704 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—114

Alexander	Derden
Alsup	Dickison
Amos	Dollins
Bates	England
Beckworth	Felty
Bell	Fox
Boethel	Fuchs
Bond	Gibson
Boyer	Hamilton
Bradbury	Hankamer
Bridgers	Hanna
Brown	Harbin
Burton	Hardin
Cagle	Harper
Callan	Harrell
Carssow	Harris of Archer
Cathay	Harris of Dallas
Cauthorn	Hartzog
Cleveland	Heflin
Colquitt	Herzik
Davis of Jasper	Holland
Davison of Fisher	Hoskins
Davison	Huddleston
of Eastland	Hyder
Deglandon	James

Johnson of Ellis	Patterson
Johnson	of Travis
of Tarrant	Petsch
Jones of Angelina	Pope
Jones of Atascosa	Powell
Jones of Wise	Ragsdale
Keefe	Reed of Bowie
Keith	Reed of Dallas
Kelt	Rhodes
Kenyon	Roark
King	Ross
Kern	Settle
Knetsch	Sewell
Langdon	Shell
Lankford	Simpson
Lanning	Skaggs
Leath	Smith of Hopkins
Leonard	Smith
Loggins	of Matagorda
London	Smith of Tarrant
Lucas	Stevenson
Mauritz	Stinson
McConnell	Talbert
McKee	Tarwater
McKinney	Tennant
Metcalf	Tennyson
Moffett	Thornberry
Morris	Thornton
Morse	Vale
Newton	Walker
Nicholson	Weldon
Oliver	Westbrook
Palmer	Winfree
Patterson of Mills	Wood

Nays—1

Blankenship

Absent

Adkins	Little
Baker	Mann
Broadfoot	Mays
Celaya	McCracken
Dean	McDonald
Farmer	McFarland
Fielden	Monkhouse
Graves	Prescott
Harris of Dickens	Quinn
Howard	Riddle
Hull	Sharpe
Jackson	Stocks
Jones of Falls	Waggoner
Leyendecker	Worley

Absent—Excused

Bradford	Russell
Davis of Haskell	Rutta
Reader	Schuenemann

The Speaker then laid House Bill No. 704 before the House on third reading and final passage.

The bill was read third time, and was passed.

CONFERENCE COMMITTEE AP- POINTED ON SENATE BILL NO. 139

The Speaker announced the appointment of the following Conference Committee, on the part of the House, on Senate Bill No. 139:

Messrs. Graves, Hyder, Bates, Cleveland and Thornton.

ADJOURNMENT

Mr. Felty moved that the House adjourn until 10:30 o'clock a. m., Wednesday, May 19.

Mr. Johnson of Ellis moved that the House adjourn until 10:00 o'clock a. m., Wednesday, May 19.

The motion of Mr. Johnson of Ellis prevailed, and the House, accordingly, at 12:30 o'clock a. m., adjourned until 10:00 o'clock a. m., Wednesday, May 19.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills and resolutions, as follows:

Appropriations: House Bill No. 1184; Senate Bills Nos. 185 and 516.

Education: House Bill No. 1147.

Privileges, Suffrage and Elections: Senate Bill No. 502.

Highways and Motor Traffic: Senate Bill No. 450.

Judiciary: Senate Bill No. 31.

Public Lands and Buildings: House Bill No. 1186.

State Affairs: Senate Bill No. 53; Senate Concurrent Resolutions Nos. 63, 64, 67; House Concurrent Resolution No. 136.

REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,

Austin, Texas, May 18, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. J. R. No. 24, Proposing an amendment to the Constitution of the State of Texas, amending Article 16, Section 61, providing for the abolishing of the salary method of compen-

sating all district, county, and precinct officers of this State, and further providing that the Legislature may prescribe laws for compensating all district, county, and precinct officers in such manner and on such basis as may be prescribed by the Legislature; providing for the submission of this amendment to the voters of this State; providing for proclamation of said election by the Governor; and providing for the necessary appropriation to defray necessary expenses for the submission of this amendment.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,

Austin, Texas, May 14, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 352, "An Act to provide for the inspection of steam boilers; defining certain terms; requiring a Certificate of Operation and registration of certain boilers; exempting certain boilers from the provisions of the Act; providing every insurance company insuring boilers in this State shall file certain reports showing policies of insurance and inspection with the Commissioner; providing for appointment of an inspector of steam boilers and deputy inspectors; providing that commissions as inspectors may be issued to certain persons; providing for promulgation of rules and regulations by the Commissioner of Labor covering the inspection and operation of steam boilers; providing for certain hearings; providing for collection of fees for boiler inspection; providing for publication of rules and regulations; providing for penalties for failure to comply with the provisions of this Act and rules enacted pursuant thereto; providing for injunction proceedings after notice; providing for clerical assistants and supplies; fixing salaries; creating a 'State Boiler Inspection Fund' and appropriating the monies deposited in said Special Fund to pay the expenses of the administration of said Act; making an appropriation of Twenty Thousand (\$20,000.00) Dollars, or so much thereof as may be

necessary, out of the General Fund of the State of Texas for the purpose of paying expenses during the first year of the operation of said Act and providing for the refunding any amount expended out of said Twenty Thousand (\$20,000.00) Dollars appropriated to the General Fund out of fees collected during the first year of the administration of said law; appropriating any unexpended balance remaining in said Fund at the end of the fiscal year 1937, and appropriating any unexpended balance, not exceeding Ten Thousand (\$10,000.00) Dollars at the end of the fiscal year 1938, and appropriating any unexpended balance remaining in said Fund at the end of each succeeding fiscal year not to exceed Ten Thousand (\$10,000.00) Dollars for the purpose of enforcing the Act and providing that balances in excess of said Ten Thousand (\$10,000.00) Dollars at the end of the fiscal year 1938 shall be transferred and credited from such Special Fund to the General Fund of the State; providing a saving clause, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, May 17, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1052, "An Act amending Section 13 of Chapter 42, page 49, Acts of the Regular Session of the Forty-third Legislature; amending said Section 13 of Chapter 42, with reference to salary to be paid the Judge of the County Court of Jefferson County at Law; repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, May 17, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 561, "An Act to define and fix the limits and jurisdiction of the Nineteenth, Fifty-fourth, and

Seventy-fourth District Courts and to provide for the terms thereof and the procedure to be followed therein in certain particulars; to provide for the Judges of said Courts to exchange benches, authorizing either of said Judges to sit in either of said Courts; authorizing the transfer of a case from either of said Courts to another one thereof to provide for the filing of pleadings in said Courts in duplicate and for the safe-keeping and withdrawal of the original copy of the pleading so filed upon proper showing; to provide for and limit the filing of motions and amended motions for new trial in said Courts; and providing that if any part of this Act is held unconstitutional, the valid portion of the same was intended to be enacted."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, May 17, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 909, "An Act changing the name of The State Home for Dependent and Neglected Children to be hereafter known as Waco State Home, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, May 17, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1135, "An Act declaring it unlawful to take any fish from the waters of Hunt and Rains Counties, Texas, other than by ordinary hook-line, setline, or throwline, or by ordinary cordline, seine, or net, the meshes of which are not less than one and one-half (1½) inches square; provided that any such seine or net may be used during the period from March 1st through September 30th of each year; fixing a penalty, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, May 18, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1164, "An Act defining the terms 'bonds' as used in this Act; validating, ratifying, and approving and confirming all bonds heretofore authorized by the qualified taxpaying voters of any water control and improvement district or any water improvement district of this State, which bonds have not been sold, and which were authorized for the purpose of financing or aiding in the financing of any work, undertaking, or project or for refinancing of its indebtedness by any such district to which any loan or grant has heretofore been made by the United States of America through the Federal Emergency Administrator of Public Works or through any instrumentality or agency of the United States of America for the purpose of financing or aiding in the financing of such work, undertaking, or project, or for refinancing its indebtedness, including all proceedings for the calling and holding of elections and the authorization and issuance of such bonds, and the sale, execution, and delivery thereof; providing that when said bonds are sold for not less than par and accrued interest, they shall be binding, legal, valid, and enforceable obligations of such district in certain counties only; validating, ratifying, and confirming all water control and improvement districts, whether created or attempted to be created by the Commissioners Court or the State Board of Water Engineers, which have heretofore been laid out and established or attempted to be established; validating, ratifying, approving, and confirming all proceedings which have been taken prior to the date this Act takes effect, for the purpose of financing or aiding in the financing of any work, undertaking, or project by any such district to which any loan or grant is under contract to be made by the United States of America through the Federal Emergency Administrator of Public Works for the purpose of financing or aiding in the financing of such work, undertaking, or project, including all proceedings for the authorization and issuance of bonds and for the sale, execution, and delivery thereof; providing that the provisions of this Act shall not apply to

the creation of any such district or any obligations issued thereby, where the validity of such district or its obligations are now in litigation, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, May 17, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1174, "An Act making it lawful to catch fish with hooks, traps, seines, and nets in the waters of Red River in Fannin, Cooke, Grayson, Lamar, Red River, and Bowie Counties, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, May 17, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1177, "An Act to amend Article 879g of the Penal Code of Texas by excluding Polk County, Texas, from the terms thereof, with respect to closed season on hunting, killing, or taking wild bear; repealing all laws and parts of laws in conflict; providing the effective date of the Act, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, May 17, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1178, "An Act to provide for the creation of corporations for the purpose of dealing in, buying and selling, preparing for market, and preserving and canning fruits, fruit juices, and vegetables produced in the United States and enumerating the power and authority of such corporations; providing for the creation of corporations for the purpose of owning and operating airplanes and all other flying machines to be used in spraying orchards and crops with insecticides; providing for other rights

and powers of such corporations, including the right to buy and sell insecticides and the right to acquire and maintain necessary starting and lighting grounds and fields and workshops; providing that this Act shall be cumulative of other Acts creating purposes for which corporations may be formed, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, May 17, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1141, "An Act to fix the maximum rate of tax to be levied for school purposes in all independent school districts which include within their limits two (2) counties or portions thereof one of which counties according to the latest Federal Census had a population of not fewer than fifteen thousand, one hundred and forty (15,140) and not more than fifteen thousand, one hundred and sixty (15,160) inhabitants, whether organized under General or Special Law; providing the values to be fixed by the County Board of Equalization and taxes to be collected by the Assessor-Collector; providing for an election; repealing all laws or parts of laws in conflict herewith, both General and Special, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, May 17, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 645, "An Act to better safeguard the health of the people of the State of Texas by making it unlawful to serve food in improperly cleaned or unsterilized dishes and utensils; providing rules for cleaning and sterilizing dishes or utensils; prohibiting the use of cracked or broken dishes and utensils, and unlaundered napkins, and unprotected napkins, straws, and other articles commonly

used in eating and drinking; prohibiting the use of unsterilized or broken utensils in factories; providing penalties; repealing Article 700, Title 12, Chapter 1, Revised Criminal Statutes of Texas, 1925; saving to the State the right to prosecute for violation prior to the repeal of these Articles; providing that if any particular Section or part of this Act is held unconstitutional or inoperative, such defect shall not affect any other Section or part of this Act, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, May 17, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 705, "An Act to increase the civil jurisdiction of the County Courts of Crosby and Fisher Counties; repealing all laws and parts of laws in conflict, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

BILLS AND RESOLUTIONS SENT TO THE GOVERNOR

May 18, 1937.

House Bill No. 76.

House Bill No. 873.

House Bill No. 1025.

House Bill No. 1050.

House Bill No. 1135.

House Bill No. 645.

House Bill No. 705.

House Bill No. 352.

House Bill No. 1141.

House Bill No. 1178.

House Bill No. 1052.

House Bill No. 1177.

House Bill No. 561.

House Bill No. 1174.

House Bill No. 1164.

House Bill No. 909.

House Concurrent Resolution No. 102.

House Concurrent Resolution No. 130.

House Concurrent Resolution No. 134.

House Concurrent Resolution No. 135.